

# THE CALCUTTA JOURNAL.

OF

## Politics and General Literature.

VOL. I.] TUESDAY, JANUARY 21, 1823. [No. 18

### SUMMARY OF NEWS.

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#### Politics of Europe.

London, Wednesday, August 14, 1822. — We last night received the Paris Papers of Sunday. The King of France has returned to the Tuilleries from his summer residence at St. Cloud. The JOURNAL OF TROUVES announces, that according to official intelligence, the rumour that the yellow fever had broken out at Barcelona was unfounded. The CONSTITUTIONAL states that news had arrived from Vienna, which favoured the supposition that Austria was as little inclined as England to second the views of the counter-revolutionary faction, and appeared determined to insist on their being left to their own resources. An ultra-royal paper publishes unconsciously the greatest calumny on King Ferdinand, by mentioning that he left those officers to their fate who rebelled against the constitutional authorities in obedience to the instructions in his autograph letters. The following is the paragraph containing this statement: —

It is said that Colonel Sir Micael, accompanied by two other judges in the cause of the officers of the Guard, obtained a private audience of his Majesty, and signified to him the uncertainty in which he was both as regarded his Majesty and the officers on whose trial he was nominated, as they produced autograph letters from his Majesty authorizing their conduct. In such circumstances, he added he came to take the command of his Majesty, and to endeavour to lighten the terrible accusation which hung over them. His Majesty replied, in a tone of displeasure, "It is true the letters are mine; but what signifies that? So much the worse for them; they knew that my orders were null and void without the signature of my Minister. Why, then, did they execute them?" "But," replied Sir Micael, "your Majesty cannot abandon these unfortunate men." "You," concluded the King, "you are employed to conduct this trial; do your duty with activity, for I can hear nothing of this." Two projects are said to have divided those who set on foot the plot which was defeated at Madrid on the 7th of July. One party, at the instigation of an ecclesiastic of high rank, was for re-establishing the state of things which existed in Spain before the revolution, which began in the Isle of Leon; and another for erecting the shadow of a free constitution with two legislative chambers, and an extent of sovereign authority which would soon have annihilated the other powers.

The examinations of the witnesses for the prosecution in the affair of Colmar are terminated, and the Procurator-general on the 6th began to comment on the evidence.

State of Spain. — The Madrid papers to the 7th of August, which have reached us by express, contain a variety of details relative to the political and financial state of Spain. We shall first notice the intelligence of the former description.

The most important article is the announcement of a change of Ministry. It appears in the UNIVERSAL of the 6th, in the form of a postscript, and the following are the terms in which the statement is given: —

"It is twelve of night, and we are informed that his Majesty has now agreed to the formation of the new Ministry. We do not pledge ourselves for this news; but the following are the persons said to be fixed on for Ministers: — viz. Don Evaristo San Miguel, Don Francisco Fernandez Garcia, Don Felipe de

Alcazar, Don Antonio Martinez, Don Manuel Yadillo, and Sopena Capan. We repeat that we do not pledge ourselves to this account, but we can assert that the new Administration will be nominated to-morrow."

The same paper contains two decrees addressed to the Marquis de Santa Cruz, major domo of the palace. These decrees relieve, according to the official language, the Conde del Puebla from the office of Chamberlain, and the Marquis de Mondejary Brizida from the office of Master of the Horse, and appoints the Marquis de Santa Cruz to discharge the duties pro tempore.

On these measures the UNIVERSAL makes the following remarks: —

"We perceive with satisfaction, from the above decrees, that his Majesty is at length convinced of the urgent necessity of making those reforms in his royal household which the nation considers indispensable for its welfare and for the tranquillity and dignity of the Monarch. We hope that the new Chiefs of the Palace, who have laboured with so much zeal to enlighten the mind of the King in an affair of so much importance, will act as organs of public opinion in the appointment of successors to the officers who have been removed. That opinion, which is seldom deceived in the view it takes of public men, and which desires to see the King surrounded by persons equally distinguished for their loyalty and their attachment to the constitutional system, points almost unanimously to the Conde Onate for Master of the Horse, and to the Conde Altamira for Chamberlain."

General Lopez Banaos, the new Minister of War, arrived in Madrid on the evening of the 6th. The liberal party hailed his arrival with exultation. He was expected greatly to influence the appointment of the other ministers, and to urge the adoption of energetic measures for defeating the wicked designs of the external and internal enemies of the liberties of Spain.

Mina arrived in the capital on the 4th instant, to confer with the Government on the means of tranquillizing Catalonia.

The conduct of the Duke of Infantado is still regarded with suspicion. He was ordered to Badajoz, and, on his application to the Government, was permitted to pass to the second military district; but on the express condition that he should reside in Coruna. On his way he lingered at Ponferrada, and the Government had to send fresh orders for him to proceed to his destination. Rumour had prevailed of his having headed a party of insurgents.

The accounts from the provinces do not possess much interest. Some uninteresting skirmishes with the banditti, who take the title of "Soldiers of the Faith," are detailed. It appears that these insurgents, though they commit great depredations on the defenceless inhabitants, are incapable of coming into the field in any force; and that when they do show themselves they are invariably defeated by a very inferior number of the Constitutional troops. The leaders of the servile bands endeavoured to turn to their advantage the mutiny of the Guards, by spreading the report that the King was absolute in Madrid; but this manoeuvre was not attended with any success. But though the hopes of the enemies of the Constitutional system have happily been every where disappointed, a very hostile spirit is still sup-

posed to govern certain inmates of the Palace. Some occurrences have lately taken place which, though trifling in themselves, acquire importance as indications of that spirit. As the circumstances to which we allude appear to have excited considerable attention at Madrid, we translate the details:—

"Some time ago, the *UNIVERSAL* exposed to the public the scandalous abuses committed in the Household of the Royal Palace; and since the memorable 7th of July, we have not ceased to complain in common with the nation at large, that his Majesty has not removed from his service the individuals who daily disturb his repose, and compromise the august dignity of his person. The last time we spoke on this subject, we ventured to forebode that serious evils would ensue, unless that reform should speedily be effected, which was wished for by all true friends of the constitutional throne, and we now regret to find that our fears are already beginning to be realized.

"At half past five o'clock on Tuesday evening, six stones, of considerable size, were thrown from a window of the Palace, at a militiaman and a soldier of the regiment of the Infante Don Carlos, who were on duty at the place called *Puerta de Diamante*.

The commandant of the guard, on being informed of this insult, communicated the circumstances to his Excellency *Senor Don Jose de Polvor*, Captain of Halberdiers, pointing out the window whence the stones had issued, and alleging that they had been thrown by a woman. His Excellency immediately proceeded to verify the fact, and it was proved that the stones had been thrown from the apartment occupied by the *Senora de Legue*, duenna to the *Senora Infanta Donna Francisca de Asis*, as it appeared by a *seniora* who was in the habit of going to work by the day in the said apartment, and who, by order of his Excellency, was immediately placed in the custody of the Guard of the Place.

"These steps being taken, the Captain of Halberdiers communicated a statement of what had happened to the Chief Major Domb, remitting to him the letters he had received, and the six stones which constituted the corpus delicti, in order that he might take the necessary measures for instituting a process; and his Majesty, after being informed of all, and hearing the opinion of the Counsellor of the Royal Household, was pleased to transmit to the Secretary of War the following Royal order:—

"Most Excellent *Senor*.—The King has made himself acquainted with the accompanying letter of the Captain of the Halberdiers, and with the documents to which it refers, and he has ordered me to remit them to your Excellency, which I now do, together with the stones which were thrown at the ventanilla. In order that, after they have been inspected in the office of your Excellency's department, the necessary proceedings may be adopted.

At the same time his Majesty desires me to express to your Excellency, his earnest desire for ascertaining the truth, and for the speedy punishment of the guilty; he has heard of this event with extreme sorrow, and he does not wish that his Royal Palace should become an asylum for delinquents. Though, from the statement of the Captain of the Halberdier Guards, it appears that the person who threw the stones was not a dependent of the Palace, but a *seniora* who happened to be in the chamber of *Senora de Legue*, duenna to the *Senora Donna Francisca de Asis*, yet his Majesty has determined that all who inhabit the said apartments shall abstain from making use thereof until they have legally proved their innocence; the Fiscal who directs the inquiry being empowered freely to arrest those to whom any suspicion may attach, and to receive the declarations which he may think proper, without the necessity of any farther authority.

"I communicate this to your Excellency, in order that the necessary measures may be taken. In the mean while, the *seniora* remains in custody of the main guard, by virtue of the order of the Captain of the Halberdier Guards, without my having adopted any new regulations on the subject.

"Heaven preserve your Excellency many years.

Palace, August 1, 1822.

(Signed)

The MARQUIS DE SANTA CRUZ.

"To the Secretary of War."

"We cannot refrain from pronouncing a just eulogium on the zeal and love for the King's person which have been evinced on the present occasion by the two chiefs of the Palace, who have interposed in this scandalous affair; and this more and more confirms us in the belief that it is most urgent that all the chiefs of the royal household should act and think in the same manner. Impunity, to use no other term, has hitherto encouraged the persons employed about the Court, to foment public opinion; but if these examples were punished, we do not think they are bold enough to face danger for the sake of satisfying their revenge.

"The offense to which we have adverted is very serious in a military point of view; but how much greater is it considering the circumstances by which it was attended? What would be said by our enemies within and without Spain, had this provocation occasioned the soldiers to have fired on the windows of the Palace? This is what they wish; to seek pretexts to disturb us, and to wear out, by every means, our patience, in order afterwards to represent our just defense as a crime.

"We once more repeat, that it is a matter of the most urgent necessity that those who live within the Palace should act and think like those who live out of it; and we are of opinion, that to repeat this day after day, is the greatest proof we can give of our love of order and our wish to preserve unimpaired the honor of the throne."—*Diurnal*, August 2.

"We are sorry to say, that there was yesterday a repetition of the insults already offered to the exterior guard of the Palace. The following documents present a full account of this occurrence:—

"Infantry regiment of the Infante Don Carlos.—Guard of the Royal Palace.—Excellent Sir—I have this morn'g (two o'clock,) while occupied at the house of my colonel, in the discharge of the service and government of the regiment, received the following notice from the second commander of this guard, Lieutenant Colonel D. Jose Lacortas:—The second company of the militia, D. Joaquin Barreda, and *Senor* Mateo, officers of the same rank, belonging to the regiment, who were on guard in the *Puerta del Diamante*, have just informed me, through the medium of the chief of the militia, D. Joaquin Estefani, who is under their command, that on the grenadier of the second company of militia, D. Juan Francisco Escourienne, who happened to be without his helmet at the time, was passing under the house situated on that spot, there fell at his feet a rather large glass bottle, which broke to pieces on reaching the ground, without his knowing whether it had been thrown through malice, or had fallen by chance immediately on learning this, I proceeded to the spot where the circumstance took place, in order to inquire into the particulars; and on arriving there, the sergeants I have mentioned above, told me that a short time ago the soldier of that guard, Valentin Villar, had seen two old shoes thrown from the third window (in which there is a palm, reaching from the corner of the *Puerta del Diamante*, that is, in the upper stories, and which fell very nearly in the same place as the bottle. This is the whole of the affair, of which I beg to inform you, in order that you may take the necessary steps. This notice I transmit to your Excellency, and leave it to your superior knowledge to determine what is proper to be done. God preserve your Excellency many years.

Madrid, August 2.

FRANCISCO PUIG DE SANPER."

"To His Excellency the Captain of the Company of the Royal Halberdier Guards."

"Royal Company of Halberdier Guards.—Excellent *Senor*—I was this morning informed by the Commander of the Exterior Guard of the palace, D. Francisco Puig de Sanper, that a repetition of the incident which occurred the day before yesterday, and of which I have already acquainted your Excellency, has taken place, with the difference that on this occasion a large bottle was thrown from one of the windows or balconies fronting the *Campe del Moro*, or the corner formed by what is called the *Puerta del Diamante*, the fragments of which I transmit to your Excellency. Previous to the information given to his Majesty of the occurrence, I went to examine in person, the whole of the front indi-



ated, taking with me the second Commander of the Guard, D. Jose la Sierra, and having been informed which of the windows had been open at the time of the occurrence, I called on the Minister of the Marine, when I found it was impossible that the bottle and the stones, which were also thrown, and which I send to your Excellency, could have been thrown from these windows. By advice of the Minister, I proceeded to the upper apartments of the Palace, and, accompanied by the Senora Guarda Mayor, I visited the apartments of the Marchioness Dowager of Castromonte, formerly Lady of the Chamber to the Infanta Donna Francisca de Asis, and now one of the Queen's ladies of honour, and having examined the windows with great minuteness, I can only say, that while I feel the gravity of this attempt, I am with grief, that the steps taken to detect its authors have hitherto proved unsuccessful; since the three windows in the front of the said Senora's apartments, from which alone the offence could have been committed, are covered with iron lattice work.

(Signed) J. JOSE de PALAFOX Y MELCI.

Madrid, August 2.

"To his Excellency the Major Dom of the Palace."

The next document is a letter from the Major Dom to the Secretary of War, in which he states that the documents relative to this second had been laid before the King, who desired the affair to be further investigated.

"We have little to add to the collection which we made, in giving an account of the first offence of this kind, committed a few days ago. We then pointed out the seat of the attack of the palace, who investigated that business, we now consider ourselves bound to express similar approbation; but that is not sufficient. As little is it sufficient that his Majesty should merely manifest the strongest terms his indignation at such criminal conduct, since it is evident that those who arrogate to themselves the title of friends to the King, do not obey him, unless what he wishes be conformable to their passions and their interests. Unfortunate is it for Kings to have such friends, who serve only to compromise them."

"We conclude by repeating what we often before have said, and what we never can cease to repeat, when speaking on this subject. Let good officers be appointed for the palace, men who think like the two Chiefs lately nominated, and who have the power of making the necessary reform in his department. We shall then speedily see an end to such scandalous transgressions, and the mission of the Monarch will no longer be the object of public execration. If this be not done, we cannot venture to predict how far the evil disposed may be able to compromise the security of the throne."

"We learn that the military jurisdiction is occupied with the process instituted relative to the disgraceful events of the 15th of July and the 1st of the present month, when the outer guard of the Palace was insulted; and we anxiously wish to see an account of the result of these inquiries, more especially when we are assured, that the commandant who was held to throw the stones has been set at liberty. We have no doubt that the military judges appointed to conduct these inquiries will spare no pains to ascertain the truth, and to discover the origin of such malpractices. It is very important to pursue the investigation in these matters as far as human diligence can go; for it will in all probability be discovered that there are other excesses which we daily observe, subordinate to the general plan which the enemies of our liberty have formed for the purpose of withdrawing us from the constitutional path which we have chosen, and precipitating us into the abyss which they ardently wish to hurl us into."

"**Fumes.**—There are in these papers several articles containing statements respecting the Spanish business, but of which we have only room for a brief notice.

"An advertisement from the office of the Minister of Finance, dated the 1st, states that until the end of the present month propositions will be received from capitalists, both national and foreign, for the purchase of the 13 millions of 5 per cent. rentes,

the issue and sale of which was authorized by a decree of the Cortes of the 20th of June last.

On the 1st instant, Senors Diez del Moral, Perdo, and Senors del Villar, entered on execution of their functions. The first takes charge of the office for the examination, recognition, and liquidation of the documents of the public debt; the second is commissioned to superintend the incorporation and alienation of the property assigned to the same object; and the third is exclusively charged with all the national property applicable to public credit, and with the collection of the duties thereon appropriated. In consequence of the falling in of certain annuities, and redemption of various claims, it is estimated that the public debt of Spain, with or without interest, up to June, 1823, does not amount to more than 6,000 millions of reals (about 50 millions sterling.) For the liquidation of this capital, the Cortes have appropriated the sequestrated property of the royal patrimony, of the liquidation, suppressed monasteries, &c. &c., which are estimated at nearly 9,000 millions. But the sales have hitherto produced about 80 per cent. more than their valuation. It is therefore probable, that the whole of the national property will produce double the sum at which it has been estimated.

The decree of the Cortes, authorizing a loan of 60 millions of reals for the Ministry of the Marine, is officially published in the papers of the 2d instant.

An abstract of the budget fixes the charges for the public service of the year commencing with the 1st of July last at 604,312,304 reals. The ways and means are calculated to cover this expenditure. Among the items under the last head, the revenue on articles of consumption is estimated at 100,000,000 reals.

A memorial, addressed to the Minister of the Interior, has been published by Don Vicente Estrada de Siza, in which the memorialist proposes, on certain considerations, to furnish all the money which may be required for carrying on all the public works of acknowledged utility in different parts of Spain.

**Police.**—**See above.**—Lord Charles Bentinck appeared on Tuesday upon a summons to answer the charge of Robert Wemyss, his footman, for assaulting and beating him.—The statement of the complainant, who was a mere lad, was this:—On Monday Lady Bentinck came home in her carriage, and when she had entered the house, he took her Ladyship's shawl, which she had left behind her, from the carriage into the drawing room. Lady Bentinck seeing this, desired to know what right he had to bring her shawl from the carriage, without being ordered to do so, and desired him to take it back. He said he was sorry he had acted wrong, and would take care to avoid doing so in future, but he begged to be excused from taking it back to the carriage. Her Ladyship desired him to quit the room, and having informed Lord Charles of the circumstances, his Lordship came down stairs, and desired him to leave the house instantly; he refused, demanding first to be paid a month's wages, as per agreement, but to this his Lordship would not listen, and seizing him by the collar, he thrust him with great violence out of the house.—His Lordship replied, that the servant had insolently disobeyed the commands of his lady, who having communicated that fact to him, he chose to order him to leave the house: he refused, and he certainly did push him out, but not with great violence.—Mr. Mitchell said an assault had certainly been proved, but of such a nature that he should only call upon the Noble Defendant to enter into his own recognizance to appear at the Sessions to answer any charge that the complainant might choose to prefer.—Lord Bentinck did so, and the matter terminated for the present.

On Thursday, Messrs. Barry and Jackson, the proprietors of a gaming-house, and Messrs. J.B. Folson, Maddox, Barlow, Agnew, Izard, and 18 others, all fashionably dressed men, and some of them, we understood, connected with families of distinction, were brought on the charge, that "being idle and disorderly persons, they did habitually resort to, and play at unlawful games," in the house No. 33, Pall-mall.—Smith the of-

feet stated that he went, with about 15 other constables, on Wednesday evening, to Pall-mall, and having gained admittance they went up to the first floor, where they found 12 of the defendants sitting round a table, playing at a game the name of which witness did not know. There was a great deal of money, and a large number of silver counters on the table. The appearance of the officers in a moment threw all the party into confusion, and a general scramble took place, in which witness acted a part, and seized three 10*l.* and five 5*l.* notes, 30 sovereigns, and a quantity of silver and counters. Having secured the players and their apparatus, they went up to the second floor, where they found the remainder of the defendants playing at *Rouge et Noir*. There, also, a contest took place for the money.—After some conversation between the Counsel for the defendants and Sir R. Birkie, twenty-two of the defendants were then discharged, upon payment of the usual fees, and Barry and Jackson were held to bail, each himself in 200*l.* and two sureties in 100*l.*—The apparatus, money, &c. remain in the possession of the officers, who received the thanks of the defendants for the kindness and delicacy with which they performed their duty.

**Scotchmen.**—The Lord Chancellor has observed that, according to law, if a Scotchman went to the East Indies and served in the King's forces, he was still a Scotchman; but if he entered the Company's service, he was no longer a Scotchman, but immediately got into the province of Canterbury.

**Corporal Punishment.**—A soldier has been whipped to death at Hull! We had hoped that such doings had altogether ceased in England; but it seems that nothing short of some legislative measure will put a stop to this dreadful and degrading system of corporal punishment. No doubt suffering must follow guilt, and discipline must be maintained in the army; but are there not many salutary ways of punishing offenders, without having recourse to the frightful torture of the lash? Cannot men be fined, imprisoned, kept on hard fare and short allowance, or subjected to severe additional duty? We know that they can and are, in many instances, and that too with the best effect; and it is therefore clear, that punishment by the nat-o-nine-tails may be wholly dispensed with. Gracious God! Only think of a wretched fellow-creature being tied up in the halberd, and whipped till "his bones were as bare of skin and flesh, as if his back had been scraped with a knife!" It requires no great force of imagination to think that we see the victim's quivering flesh torn, bit by bit, from his streaming back, and hear his soul-subduing cries, or stifled groans! Surely if "damned custom" had not familiarised men to such barbarous inflictions, nothing could induce persons possessing the common feelings of humanity to be in any way concerned in them. A Jury has decided that "the deceased received three hundred lashes, and that he died of the same, and of the fever, mortification, and debility arising therefrom;" and Sir Francis Burdett, with that generous feeling for his kind which has ever graced his character, has given notice of a motion for next Session on the subject of Corporal Punishment, with a reference no doubt to this particular case of John Farnell. It will not therefore be forgotten; and we sincerely hope that the present shocking catastrophe will be the means of putting an end to a mode of punishment, which, as is proved by the example of France and other countries, is not necessary as it respects military discipline, while it wounds the general feeling, and inflicts a stain on the national character.

**Catalonia.**—The *Journal de Toulouse* states, that on the 16th ult. "the two parties who carry on the contest in Catalonia came to close quarters in the neighbourhood of Vich. The carnage is stated to have been very great. Never were so much courage and resolution remarked in both parties. Nevertheless, the troops of Mians and Malaylla were not able to hold out long against the experienced regiments of militia, and those two chiefs were obliged to retreat. Their loss was said to be considerable, and was estimated at 600 men. The Constitutionallists were commanded by the Captain-General in person; they apprised the inhabitants of Poycedra, that they might reckon on their approach-

ing deliverance. Three thousand men, disembarked at Rouss, have been directed on Olat; and other 3,000 have proceeded from Barcelona, and advance on Lampourda."

**Scotch Advocates.**—The proceedings in the House of Commons last night, with respect to the Scotch Advocates and Mr. Abercromby, will be best learned by our readers from the perusal of the report itself. In a matter apparently of so much delicacy, we are loth to say much. It appears, that the House entertained some apprehension that Mr. Abercromby had gone to reply personally to the letters of Mr. Hope. The Honourable and Learned Gentleman was, in consequence, ordered to attend in his place, but had left his own house between the hours of twelve and two o'clock yesterday. Political feeling is no doubt in a high state of fermentation in Scotland at present; and so it well may be. The tranquil corruption of that country is shaken to the centre; it is exposed bare. Those who have basked in it are engaged in proportion to their long impunity.

The old adage of "empty praise being repaid with solid pudding," is, it is *secretly* whispered, likely to be verified in a very remarkable case, except indeed a sense of decency interfere. In a discussion some days ago on a certain Court not remarkable for the promptitude of its decision, a learned and respectable gentleman at the bar declined attacking the noble person who presided in that Court, lest by so doing he should afford an opportunity for many who were not too ready to display their interested zeal in his defence. *Circa die* up-bounced one of ardent courage in such a cause, and grossly bespattered the venerable dispenser of honour in his profession with praise. The panegyrist might not be quite such an *quo* as his Lordship would have selected, had he been free to choose; but then he was "ready and willing;" and that," says Sterne (in the case of *Le Fleur*, who could only make spatterdash and beat a drum.) "is all that God expects, and, therefore, should be all that man requires." The predicted consequence is rumored to be the following. We hear—but chame attends the first promulgation of the news—that the flattery has not been lost: the author is, some say, to be a Master in Chancery; others, the Chief Justice of Chester. Perhaps a knowledge of the persons may have originated the report. We only mention what we have heard.

The expediency of viewing the Irish Insurrection Act was argued on Monday in the House of Commons, when Mr. Goulbourne moved the committee of the bill. The ground on which this measure was recommended by the Secretary, and indeed we must say, approved, or at least tolerated, by a large proportion of the usual opponents of Ministers, was, that the spirit of disaffection in the country had not yet sufficiently abated. We cannot contest such a point so recognized; and looking to the guilt that would be incurred both by those who asserted and by those who acknowledged the necessity, if it should appear hereafter that it was not real, we must, though far from being satisfied, sit down in a sort of watchful acquiescence, until a further opportunity shall be furnished of deciding with what justice a weapon so unconstitutional has been now required, and with what degree of temper it will have been exercised by the Irish Government. There is one consideration, indeed, which may be allowed some weight in reconciling reasonable men to the continuance of this tremendous power—namely, the increased responsibility, which it lays upon the head of the Ministers who employ it. If Ireland should unhappily remain disturbed, and the general wretchedness undiminished, the Minister whose demand of more extensive means of coercion had been refused by Parliament, would find a short answer to all attacks upon his conduct, in the nakedness and inadequacy of his powers. The grant, therefore, of this prodigious force, to be applied, as is understood, to the restoration of tranquillity among the Irish, takes away all such pretences, and becomes a formal pledge to the people, that the time and leisure thus afforded to their rulers will not be employed in merely devising new coercive laws, or fresh pretences for the prolongation of old abuses.—*Times*.



# PARLIAMENTARY.

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## Imperial Parliament.

### HOUSE OF LORDS, TUESDAY, JULY 9, 1822.

A person from the India house brought up an account of the amount of salaries and pensions granted by the East India Company during the last month.

Mr. C. HORTON, and other Members of the Commons, brought up the Cork and Skibbereen roads' bill, which was read a first time.

The Westmorland county rates' bill, and the five per cent. contracts' bill, were read a third time.

The small notes' bill was read a second time.—Adjourned.

### HOUSE OF COMMONS, TUESDAY, JULY 9, 1822.

#### CHARGE OF PENSIONS' BILL.

Mr. BROGDEN brought up the report on the charge of pensions' bill.

Mr. HUME asked the Chancellor of the Exchequer, whether he had sold or negotiated any of the annuities.

The CHANCELLOR of the EXCHEQUER replied in the negative; and added, that there was no probability of doing so until the sales took place in January.

The report was then agreed to, and the bill was ordered to be read a third time to-morrow.

The Duchy of Cornwall bill passed through a committee. The resolutions were agreed to, and the report was brought up and received.

The distress in Ireland bill was read a first, and ordered to be read a second time to-morrow.

The excise licensing bill was read a third time, and passed.

The Scotch spirit exportation bill passed through a committee. The report was ordered to be brought up on Friday.

#### RECEIVERS-GENERAL BILL.

Upon the motion of Mr. LUSHINGTON, the house resolved itself into a committee upon the above bill.

Mr. HUME objected to the clause which provided that the public money collected in the country should be transmitted to London by the receivers-general. He thought it would be more economical to transmit these funds to the Treasury through the hands of the country bankers.

Mr. LUSHINGTON replied, that the suggestion of the honourable member would, if acted upon, occasion a greater expense to the country than the present system, and likewise would possess the disadvantage of not affording to Government those securities for the safe keeping and transmission of the money which they at present enjoyed.

Mr. HUME said that he was decidedly against permitting the collectors to retain such large sums as they too often held of the public money in their own hands. They often made large assessments, and distributed the surplus amongst each other. He should particularly object to the latter part of the first clause of the bill, which wanted to provide an aggregate fund to defray compensation for the receivers-general; and he should also propose, in another clause, to introduce the words "That the Treasury do not in any case grant salaries less than £600, a-year, or more than £600, with reference to the services in this bill." That was the recommendation of the former committee, and the right hon. gentleman opposite was bound to see that recommendation carried into effect. He was also decidedly hostile to the discretionary power of granting allowances to deputies acting for the collectors, unless in cases of the illness or temporary incapacity of the principals; and he should further recommend that the collectors of the assessed taxes be directed to make their remittances in the same manner as they were made in the excise department. These alterations in the clauses of the bill he thought so essential, as to be under the necessity of persevering in pressing them upon the attention of the committee. (Hear.)

Mr. LUSHINGTON said, that the principal recommendation of the hon. member respecting the mode of remitting the collections was not new; it was pressed on the consideration of the Treasury 43 years ago, and deemed inadmissible. The honourable member should bear in mind the great difference between the duties and responsibility of the collectors of excise and those of the revenue, and that if his plan were adopted, more expense would be entailed upon the country, for there should be double emoluments for the twofold manner of making the remittances. In the revenue collections there were securities to the amount of 16 millions given; this was an increased security to the public well entitled to consideration, and he was persuaded that if the hon. member's plan were adopted, the principal and best receivers would resign. As to the deputies, he had no objection to introduce the words that some be

appointed, unless through the "illness or temporary incapacity of the principals."

Mr. HUME thought it extraordinary that a security to the amount of 16,000,000, should be exacted from receivers who could not possibly have in their hands, if they retained their whole receipts, more than 7,000,000. In the year. (Hear, hear.) Such a security was therefore preposterous. As to the threat of the receivers resigning, he could only assure the hon. gentleman who made it, that he would pledge himself to procure successors for them in every respect competent, in every point adequately secured, on the terms which he had mentioned, and he should thank the honourable gentleman for affording him that patronage—it was the only patronage he was likely to get from his Majesty's Government. (a laugh) He must again contend that both the Board of Taxes and the Receivers-General were absolutely useless.

Mr. LUSHINGTON must repeat his assurance that the present plan of collection could be proved arithmetically to be cheaper than that proposed by the hon. member in its place. Besides, they had at present the great safety which large securities gave them. He would strongly recommend to the hon. member the consideration of a passage in Mr. Burke's writings, in which he points out the danger and folly of crude and clumsy reforms in such subjects as this.

Sir JOHN NEWPORT thought a committee like the present was the last place in which the authority of Mr. Burke ought to be quoted against economical reform; but he would take the liberty of quoting another authority of equal weight—Mr. Grattan's, who in 1790 pointed out the gross abuses which prevailed throughout the whole machinery of those revenue laws. The office of Receivers-General was abolished in Ireland; what reason, then, could be assigned for its continuance in this country?

Mr. LUSHINGTON replied, that it was quite impossible to draw any analogy between the mode of collection in the two countries.

Mr. HUME denied that he was pressing any crude proposition—he was the recommendation of the former committee, on whose report the Government were bound, and had pledged, themselves to act.

Sir G. LONG denied that the committee had gone so far as the hon. member recommended. There was certainly no similarity between the modes of collection in England and Ireland.

Mr. Alderman WOOD entirely concurred in the views of his hon. friend (Mr. Hume.)

After a conversation across the table, in which Mr. Alderman WOOD, Mr. CALCRAFT, the CHANCELLOR of the EXCHEQUER, and Mr. BROGDEN participated,

Mr. H. G. BENNET suggested that it would be extremely unfair now to proceed with the clauses of the bill, seeing that his hon. friend the member for Essex, whose motion stood for to-night, had once already consented to postpone it, at the request of the noble lord. Now the clauses were likely to provoke a discussion that would occupy the house so long, as effectually to prevent them from proceeding with the motion of his hon. friend.

Mr. LUSHINGTON then moved that the Chairman do report *pro* *gross*, and ask leave to sit again (we believe to-morrow,) which was agreed to.

#### BREACH OF PRIVILEGE.

Mr. W. COURTENAY rose in the anxious desire to bring under the notice of the house some recent publications, to which he considered it necessary to call their very serious attention. It was only during the evening that they had come under his own observation, and he trusted that he should not be considered as acting improperly or hastily, in claiming attention to some passages which in his mind appeared to strike at one of the most vital privileges of Parliament. (Hear.) The house would recollect that some little time ago, an hon. member on the other side (Mr. Abercromby) gave notice of an intention on his part to call for a parliamentary inquiry into the conduct of the Lord Advocate of Scotland in relation to the public press of that country. (Hear.) In the course of the debate which took place on that occasion, the hon. gentleman was of necessity involved in the unavoidable office of taking upon himself the disagreeable, but doubtless conscientious, part of a prosecutor. Disagreeable as that office might have been to the feelings of the honourable gentleman in question, it would not be doubted that with respect to the relative situation of the House of Commons and the country, he was then discharging one of the most important functions which a member of the House of Commons could exercise. (Hear, hear.) Any thing therefore, which interfered with the free exercise of such a function, with the unobscured execution of that office, or taking place under circumstances which might be considered as tending to encroach upon the freedom of debate, by reason of comments of a particular nature made upon the speech of an honourable member—he (Mr. Courtenay) conceived might be properly considered as a breach of the privileges of that house, and so calculated to affect them in a most important manner. (Hear, hear.) In the course of the observations which the honourable and

learned gentleman had made on the evening alluded to, he was called upon to make some remarks on the conduct of certain persons connected with public employments in Scotland. Those remarks appeared to have elicited the particular comments of which he (Mr. Courtenay) was now speaking from the parties concerned; and to the publications in which they were contained, it was now his wish to call the attention of the house. (hear, hear.) He held in his hand a letter, published in the form of a pamphlet, and entitled "A Letter to the Hon. Mr. Abercromby, by John Hope." Mr. Hope appeared to be one of the individuals on whose proceedings the hon. gentleman (Mr. Abercromby) had thought it requisite to make some reflections. Now, throughout the letter, that sort of spirit was visible, which, when applied to words spoken by an honourable gentleman in the conscientious discharge of his duty within these walls, did appear to him (Mr. Courtenay) (and would appear, if he were not greatly mistaken, to the house in general) a most open and daring violation and breach of the privileges of Parliament. (hear.) The passages were of a nature to provoke, on the part of any gentleman to whom they were addressed, feelings of personal hostility, and to bring the writer into direct personal altercation and contact with the individual from whom they proceeded. (hear, hear.) That such was the manifest tendency of this publication, he thought the house would at once agree with him. (hear.) He (Mr. Courtenay) would trouble the house by reading one or two passages only, which appeared to him to be couched in the most improper, and even gross, language; and having submitted a resolution to the effect that they amounted to a breach of privilege, he would leave it to the house to determine what steps it would take in the matter. The letter of Mr. Hope began by describing the occasion out of which it had arisen; it spoke of the reports which had appeared of the hon. gentleman's speech, and then expressed the opinion of the writer that those reports were correct. The writer then addressed himself to the honourable member as assuming him to be the undoubted speaker of the speech so reported, and afterwards expressed himself to this effect:—"That on the gross injustice of a defamer's availing himself of the privileges of Parliament in order to aid the private action of a political assassin, and to prejudice the minds of the public against an individual, it was needless to make any observation." (hear.) With the hon. gent. whose speech was thus attacked, he (Mr. Courtenay) it was well known, was in no way politically associated; but on whatever side of the house a man might happen to vote, if his speech was delivered as the conscientious expression of his sentiments, he (Mr. Courtenay) did conceive that it was the bounden duty of that house to prohibit the application to it of language amounting to a charge of perverting the privileges of Parliament to the most base and unworthy motives. (hear.) There were other passages in the same letter of much the same character, though it seemed to him that the particular expressions which he had just read to the house were the strongest. One of those passages was to this effect:—"It is very possible that the wilful misrepresentations of others may have induced you to think yourselves (this was applied to the hon. member for Calne and another hon. member) safe in the grounds of that attack; but (whatever was the nature of your information) that the circumstances in question have been anxiously, or at least hastily, and therefore unwarrantably, seized hold of, for the purpose of imputing my official conduct to flagitious motives, cannot be denied. Whether you truly believed the statements which you were so forward and ready to make, is a question which I cannot permit myself to ask. The injustice, illiberality, and intemperance of the comments with which these statements were accompanied, you cannot now dispute." (hear.) When he (Mr. Courtenay) said he had no political connexion or association with the honourable gentleman (Mr. Abercromby), he did think that at this moment that honourable gentleman was perhaps the only hon. member who would not think the course which he (Mr. Courtenay) was now pursuing, a right one. (cheers from both sides of the house.) But it was not for him on an occasion like the present, to think what might be agreeable to that honourable gentleman or to others. (cheers.) He was praying their attention to a proceeding which he thought they owed it to the country, to the dignity of Parliament, and to themselves, to adopt. (hear.) He thought that a publication of this kind, which remarked specifically upon words used by members of that house, in language of this very peculiar description, could only be intended to influence the freedom of their discussions. The language thus addressed to an hon. member, containing what might be termed an avowedly direct and professedly personal attack, which he (Mr. Courtenay) felt convinced that every other hon. member would concur in thinking perfectly unfounded, the house must perceive and feel to be a breach of its privileges. (hear.) In making these observations, he had not been actuated by the desire of coming forward to take notice of the matter, with a view of obtruding himself upon the attention of the public; but he humbly submitted, that so long as it was important to them to maintain in their debates full and perfect liberty of speech, it was absolutely necessary that the comments of this kind should not pass unobserved. (hear.) But how could it be said that freedom of speech was fully maintained among the members of that house, if any individual was to be permitted with impunity at once to make it an occasion of a direct personal attack, and the founda-

tion of some act of personal hostility? (hear.) He had now stated the case of Mr. Hope's letter; but there was also another matter to be connected with the letter, that he thought it necessary to bring it before the house. In the Courtenay newspaper of the preceding evening, there had appeared a letter from a Mr. Menzies, an advocate, addressed to the same hon. gentleman (Mr. Abercromby), and which letter, so far as could be judged, would seem to have been sent with a comment to the editor of that print. The letter purported to come from Mr. Menzies; and the comment was of the most intemperate description. It was subjoined to a correspondence between that gentleman and the member for Calne; and was in these words, "I feel no inclination to make any comments on the above correspondence. I shall be contented with saying, that in what you put forth as a fair report of Mr. Abercromby's speech, improper motives were by very strong imputation and implication attributed to me. Such imputations I regard with the most perfect scorn; and I have now shown that, whoever was the real author of them, they were altogether unwarranted, groundless, and false." (hear.) He (Mr. Courtenay) should wish the house well to consider the spirit and language of these two publications. To him it appeared that they formed a part of that fatal system which had of late been manifesting itself in this country, and which it was high time and most essential that the house should effectually put down. (hear, hear.) Whatever might be the decision of the house on this occasion, his own feeling would remain unaltered. It was dangerous in the extreme, and subversive of all privilege, if matters like these, passing within those walls, were to be made the ground of public attack, and perhaps of personal explanations. It was on these grounds that, without further comment, he craved the attention of honourable gentlemen to the resolution he should submit. (hear, hear.) He thought they would concur with him in thinking that the object, meaning, and intention of both these publications, were those which he had imputed to them—namely, a desire to make a personal quarrel grow out of the discharge of a most painful and unpleasant duty, which a member of that house had thought proper to undertake. He should therefore first put in the papers, the most objectionable passages of which he had himself marked, and then move a resolution, that the marked passages which the papers so put in contained did amount to a breach of the privileges of that house. (hear, hear.) Having at present only the printed papers, he had no right, strictly speaking, to assume that the names subscribed to them were the actual names of the party; and he could not consequently move, in the first place, to call the gentlemen before the house. His next object would, of course, be to call for the further requisite information from the printers of the papers. At present he had only to desire the house to agree to his resolution. (hear.) The hon. gent. then put into the clerk's hands the pamphlet of Mr. Hope, and the newspaper containing Mr. Menzies's letter, and pointed out the objected passages which the clerk was about to read, when

Lord BINNING suggested that the whole contents of the two papers ought to be read. (cries of "no, no.")

The SPEAKER said, on occasions like the present it was the almost invariable course for the clerk to read the passages excepted to, and pointed out. If the house required it, for the better understanding of the objectionable matter, of course the whole publication, whatever its nature might be, was read; but this was by no means universally the custom of the house. (hear, hear.)

The clerk having read the passages in question,

Mr. COURTENAY observed, his resolution would be, "that the said passages contain matter amounting to a breach of the privileges of this house."

The Marquis of LONDONDERY then addressed the Chair, but in a tone of voice so low as to be utterly incapable of being heard in the gallery. From the subsequent observations of the Speaker, we could alone collect that the noble lord suggested that there were two modes of proceeding which the house had at different periods adopted, and that perhaps it would be better to defer the further consideration of this matter until the next day.

The SPEAKER said the house was, doubtless, aware that both of the courses which had just been mentioned by the noble marquis had been adopted according to the circumstances of cases. The distinction appeared to have been this—that where the subject of complaint was, that the breach of privilege was not constructive merely, but was contained in a comment upon what had passed within the walls of that house, then the question had been, whether such matter was a comment on what had so passed, and not as to the terms in which such comment was conceived; and the house must be sensible that if the question in such a case were to turn upon the mere construction of terms, there would be an end to the establishing any breach of privilege in whatever language it might be conveyed.

Mr. C. WYNN apprehended that the house would think it expedient, before it pledged itself to any further proceeding, to be in the possession of the full contents of either paper. (hear.) He remembered



the case of Mr. Reeves, which was in point. There, the house having expressed a desire to that effect, the whole of a very long pamphlet was read to it. This undoubtedly appeared to be a very inconvenient mode of proceeding, because it was almost impossible that honourable gentlemen could fix their attention with sufficient accuracy on particular passages, scattered through such a quantity of matter. He should consider that the best mode of proceeding on this occasion would be, after disposing of the resolution, to adjourn the further consideration of these papers for a day, in order to allow members an opportunity in the mean time of forming their judgement upon them. (Hear.) He certainly, for his own part, could not see how any thing which they contained could so far vary their nature as to make them amount to any thing else but a gross breach of privilege; but he had only cursorily looked at them.

Mr. TIERNEY conceived that the whole question at present was, to call upon that house to say whether the passages which had been read amounted to a breach of privilege or not? His own impression was, that they did amount to one. He thought no man could doubt the fact. It was, he presumed, the meaning of the right honourable gentleman (Mr. Wynn, we believe), that on examining them more particularly, it was possible something might appear to soften their character in some degree. Abstractedly considered, no one could doubt that these passages amounted to a breach of privilege; but if any circumstances of extenuation could be detected, of course it was proper that they should not visit the party as severely as they would otherwise do. If this was the case of a breach of privilege, he thought they must agree to the resolution proposed by the hon. member for Exeter, as a very proper one. (Hear, Hear.) It would be for them afterwards to consider what further they would do in the matter. (Hear.)

Mr. C. WYNN suggested, that in Mr. Hobhouse's case, which was one of a very gross libel on that house, the consideration of the subject was adjourned for a day, after its being first noticed by an hon. member.

The SPEAKER stated, that there was a great variety of precedents for dealing with these subjects in two very different modes; one of them was, to move that the article or paragraph in question was a breach of the privileges of that house; then to call the party to the bar, so that he might admit or deny the matter charged against him; and afterwards to deal with the case accordingly. The other course was, where the house, before it decided whether the thing was or was not a breach of privilege, called the party to the bar, in order that it might hear from him any explanations which might have the effect of enabling it to ascertain whether it was or was not a breach of privilege; and so went on to deal with the case. Where the article or paragraph was so undoubtedly a breach of privilege as to be voted such in the first place, no subsequent explanation of the party when called to the bar could affect the question as to whether, aye or no, the matter amounted to a breach of privilege; though it might lead to very material alterations in the punishment which such an offence would *prima facie* incur. Every member of the house must well know that the privileges of Parliament were possessed by it as a high public trust, which that house would not unnecessarily interfere with. Although they were from day to day shutting their eyes to breaches of privilege so clear that there could exist no doubt about their character, they might see no public advantage likely to arise, but they might anticipate much public disadvantage as probable to result, from dealing too strictly with those privileges: but this voluntary indulgence on the part of Parliament could not alter the nature of that offence which was a breach of privilege. The house no doubt would be disposed always to view such cases with great caution and deliberation, and to consider maturely of the fitness and necessity of taking notice, or of passing over matters of this description. No abstract opinions as to the practice of the house, however, in this particular, should lead members into a disregard and neglect of these privileges.

The Marquis of LONDONDERRY, after what had fallen from the Chair, could not doubt that these passages contained a breach of privilege. He knew it had been very usual, when matters of this sort were submitted to the house, to adjourn their consideration for a day or two; and he thought the house would come to the consideration of the present subject with more advantage after having considered the papers during such an interval. They certainly owed it to themselves and to the country to vindicate their privileges to whatever extent they might have been injured. The noble marquis proceeded to make some further observations in a very laudable tone. We collected, that he thought it might be in the mean while proper for the house to desire the hon. gent. (Mr. Abercromby) to attend in his place forthwith, and to require of him such a pledge that the house might feel satisfied no personal consequences would ensue upon this matter.

The SPEAKER expressed his concurrence in the suggestion of the noble marquis. No course, however could be so satisfactorily taken as that which should be adopted after the house had ascertained whether this was the case of a breach of privilege or not. The best mode in which

the suggestion that had just been made could be effected would be to direct the attendance of the hon. member (Mr. Abercromby) in the house forthwith; and if that proceeding should not be thought sufficient under the circumstances, then to come to a resolution expressive of the house's opinion, and mandatory upon the hon. member, that no steps should be by him taken in reference to the remarks contained in these papers. (Hear, Hear.)

Mr. PEEL thought that as far as any analogy could be furnished by the proceedings of the house, as between a member and the members, the last case, that of Mr. Hobhouse, was a case perfectly in point. The same postponement, and on the same principles, of obtaining every possible information, and of most maturely considering the subject which were observed in that instance, he (Mr. Peel) should recommend, on the present occasion. (Hear.)

Mr. TIERNEY declared that the two cases which the right hon. gent. had thus assimilated, appeared to him to be as different as any two things in this world could well be. Mr. Hobhouse's pamphlet had no reference whatever to any thing said by any particular member of that house. A great part of that publication might have been explained and accounted for by a variety of considerations—by the house's general character—by the known political opinions of the writer—by the state of his mind and feeling at the time: it was altogether general in its application. But the present case was quite of a different kind. Hear the house was called upon most pointedly to interfere. No man could doubt that this was a direct personal attack upon a member of parliament for having discharged conscientiously a painful duty. (Hear.) As to the course of proceeding which had in so gratifying a manner been suggested by the noble lord (Hear, Hear,) he hoped that noble lord would proceed in it without delay. Time was important; and he should be sorry indeed if the house should not interfere soon enough to prevent any personal encounter between two persons, for one of whom he entertained a very sincere and very high regard. In twenty-four hours they might be too late. Suppose, that to-morrow his hon. friend (Mr. Abercromby) should not be in that house (Hear, Hear,) suppose he was not to be found in town (Hear,) what would be the feelings of the house if any delay should be imputable to themselves? But it was said, they must first ascertain whether or no this was the case of a breach of privilege. He (Mr. Tierney) did implore the house, if they saw any ground or reason for saying that this was a breach of their privileges, to come at once to the resolution proposed by the member for Exeter; and to follow it up with that further step which he thought would prove so highly satisfactory to every gentleman who heard him (Hear, Hear.)

Mr. C. WYNN also thought that steps should be immediately taken to prevent ill consequences. As the debate might last a long time, he should be disposed to move that the hon. member (Mr. Abercromby) be ordered to attend in his place forthwith. (Cries of "read" and "move.") The ground of complaint, whether the matter did in truth, or did not, amount to a breach of privilege, was empty sufficient to justify this order. He (Mr. Wynn) should certainly now desire to retract the wish he had expressed in another period of this discussion to postpone it for a day.

Mr. HANKES conceived the present case to be quite distinct from that of Mr. Hobhouse, although that was certainly a gross libel on the House of Commons; but it was not a case of that clear and distinct breach of privilege which these passages contained. Much as he (Mr. Hankes) should deprecate any proceeding that might be the occasion of those personal consequences transpiring between the hon. member and any other party out of doors, which every man would lament, he thought no course was left for the house to pursue but the legal and the safe one. In this feeling he should suggest that they must first decide whether this was or was not a breach of privilege—a question upon which he himself could feel no difficulty. They would then follow up the resolution by the course which had been alluded to.

The question was then put from the Chair "That the said passages commenting on the speech of a member of this house are a breach of the privileges of this house." (Hear.)

Lord BINNING could not allow that resolution to be read without calling for the whole of the letter, which he had not yet heard. An attempt had been made to show that the present case was perfectly distinct from that of Mr. Hobhouse, but he contended that they were effectively the same. Although he was sorry to allude to it, he might be allowed to say, that Mr. Hobhouse's pamphlet contained one of the grossest libels that could be written on the House of Commons; yet the house had adjourned, for one day the consideration of that subject, when it was brought before them. In all cases the house was bound to act with deliberation. His understanding was not convinced upon the subject: he did not perceive the distinction between the house dealing with two members, and with one only, and an individual who was not a member. In the case of a dispute between two members, a third always interposed to prevent a breach of the peace. In this instance, distant and absent parties were concerned, and he saw no reason for not coming to the vote

recommended by the President of the India Board. The order for the attendance of Mr. Abercromby might be made forthwith, and the question of privilege adjourned until a future day.

Mr. BROUGHAM could not avoid considering the publication clearly a breach of privilege. Incidental to the main question was another matter introduced by the hon. mover—the chance of a personal altercation. The point to be dealt with by the house now, was the breach of privilege; and the incidental matter was to be regarded as an inducement to the house to treat the question of privilege with all possible despatch. There was a material difference between this case and the charge against Mr. Hobhouse: that was, general discussion: it might be a breach of privilege; it was undoubtedly extremely indecorous and highly to be resented; but it did not amount to so immediate and direct an act of obstruction. This was a direct and not a constructive obstruction, not of any number of members, but of a single member. Constructively and remotely, all libels might be considered as obstructions of members. There was, however, a great difference as to the urgency of the one case and of the other; the one was merely of a general and consequential nature, the other was a personal attack upon a member in the discharge of his duty. From the possible, if not probable peril of the party, there was here a paramount necessity to proceed without delay to declare in the first instance, that the publication was a breach of privilege; and in the next, to take the preventive step to avoid disastrous results. It had been said that the house was in the habit of calling upon members to give their honour, when a personal dispute occurred, and that was done without coming to any vote at all; but this case was not at all in point; for there the offence was committed in the face of the house—it was like proceeding on a view; the house had heard the words spoken, and instantly gave its judgment regarding them. In one case an hon. member had overheard words between two other members in the lobby: he repeated those words in the house as a ground for calling upon the members to pledge their honour that they would proceed no further, and the house did so call upon them. Both members were then within the jurisdiction of the House, and neither could complain of any partiality in its decision. But let the house look at the situation of his hon. and learned friend, against whom (for against him it must be held to be) this motion was made. Was not the house, in mere justice to him, bound to proceed as lightly as possible towards him in vindicating its privileges? or was it in the first instance—before it acted upon the breach of privilege—before it took one step against the wrong door—to rail upon him to attend in his place, and to pledge his honour? Nothing but the apprehension of the most immediate mischief could justify such a mode of proceeding as requiring a member to attend in his place forthwith. To act in this manner was not to deal justly by both parties. The house, he contended, ought first to pronounce upon the breach of privilege, and then, as an ulterior measure, require the attendance of the hon. member. He entertained a strong opinion both as to the urgency of the case, and of the necessity that something like a unanimous opinion of the house should go forth to the public, if for no other purpose than to show its firm determination, and with a strong hand to put down a system which went to the very roots, and would destroy every vestige of privilege. He hoped that there was not a shadow of ground for the comparison between the worst, the grossest, the most indecent attack upon the house in its corporate capacity, and an attack upon an individual member, singled out by two persons whose names had been brought under consideration. Men might go on fairly and boldly discharging their duty in Parliament in spite of any general hostility; but if particular members were to be picked out and selected because they gave offence to certain parties in the course of the discharge of their public avocations, he would not say that they could proceed quite fearlessly, or at least as steadily and fearlessly in any case, much less in one like that of his hon. and learned friend.

Mr. C. WYNN fully concurred in all that had just fallen from the honourable gentleman. Among the most sacred and important duties which the house owed not only to itself, but to the country, was that of preventing, by every means in its power, by every exertion of its authority, the practice of making members responsible for words spoken within its walls. The suggestion he had made was intended to save time; and if there were any objection to it, he should have no objection to withdraw his motion. That course, in a case like the present, was the best which met with the most general concurrence. As to the distinction between instances where 2 members were concerned or only one, he might observe that Lord Russell had been ordered by the house to attend, and not proceed to a challenge in consequence of a quarrel with a peer (Lord Sunderland.) He trusted that the house, without delay, would procure the attendance of Mr. Abercromby.

Lord BIRMINGHAM, in a low tone, intimated that he would not oppose the general wishes of the house.

Mr. W. COURTENAY said, that his only object in pressing for an immediate decision was to avoid the consequences to which allusion had

already been made. He thought that the house could entertain no doubt that the particular passages which he had read were a breach of its privileges.

The question was then put, and carried *sem. con.* that the parts read by the clerk from the letter signed "John Hope" were a breach of privilege.

Mr. C. WYNN observed, that it would be fit now either to adjourn this part of the proceeding, or to summon the printer to attend at the bar, in order that a knowledge of the author of the letter might be obtained.

The SPEAKER suggested that the better course might be to order the printer to attend; then to adjourn that part of the subject; and lastly, to procure the presence of the honourable and learned member.

Lord BIRMINGHAM remarked, that the printer of the letter of Mr. Hope lived in Edinburgh.

Mr. TIERNEY said, that seven or eight days might be consumed to get at the printer, and then seven or eight more employed in procuring the attendance of Mr. Hope. In what situation would his hon. and learned friend then be? While the offender was at large, he would be called upon to pledge his honour not to proceed. He would ask whether there was the least doubt that Mr. Hope, the Advocate Depute was the author of the letter? If the noble lord (BIRMINGHAM) thought it material to the interests of Mr. Hope that his hand-writing should be proved, of course no objection could be made. There could not be any doubt as to the propriety of bringing Mr. Hope to the bar.

Lord BIRMINGHAM took upon himself to say that there was not the slightest doubt that every word of the letter in question had been written by Mr. John Hope. That gentleman would instantly avow it at the bar when called upon. He trusted that the House would act upon the declaration now made.

Mr. WYNN added, that when Mr. Hope was at the bar he might be shown the letter, and if he acknowledged it, the difficulty would be at an end.

Mr. TIERNEY observed, that after what had fallen from the noble lord the house could proceed with all possible despatch. All that remained to be done was to order the attendance of Mr. Abercromby, and on a future day to summon to the bar Mr. Hope and Mr. Mensies.

Mr. BROUGHAM thought that the noble lord had given evidence quite sufficient for a process verbal.

After a remark from Mr. W. COURTENAY and Mr. WYNN, which was not heard,

The SPEAKER put the question, that John Hope, Esq., attend at the bar to-morrow at night.

Mr. ELLICE reminded the house, that in the case of Mr. Hobhouse, when he admitted that gentleman was the author of the pamphlet, the house had proceeded to commit him without requiring his appearance. Such seemed the more reasonable mode of proceeding now.

Mr. C. WYNN contended that the cases were different. The noble lord had no doubt that the letter was that of Mr. Hope; but in the case of Mr. Hobhouse the house had acted upon the supposition that the hon. member for Coventry was authorized to avow the author of the pamphlet.

Mr. ELLICE admitted the distinction.

It was then ordered that Mr. Hope should attend at the bar to-morrow at night.

Mr. COURTENAY moved, that the clerk read the following passage from the letter of Mr. Mensies to the editor of the *Courier*; and it was read accordingly:—

"I shall be contented with saying, that in what you put forth as a fair report of Mr. Abercromby's speech, improper motives were by very strong innuendo and implication attributed to me. Such imputations I regard with the most perfect scorn, and I have now shown that whoever was the real author of them, they were altogether unwarranted, groundless, and false."

Mr. HUSKISSON observed, that this was only part of a letter to the editor of the *Courier*, stating that what he had put forth as a fair report of Mr. Abercromby's speech was a false report: it did not charge the hon. and learned member with having spoken the words. If a person injured by what appeared in a newspaper might not set himself right by showing it to be untrue, private reputation would stand in a situation of jeopardy in which he thought the house would not contribute to place it. What he (Mr. Huskisson) had stated distinguished this case very materially from that which had just been disposed of.

Mr. TIERNEY thought that the fact of the correspondence being sent to the *Courier*, rendered the case rather worse than better. The house would do well to mark the situation in which members might be



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placed. A report was published in a newspaper,—probably a correct report, as they generally were—and application was instantly made to the member who delivered the speech, requiring him to contradict it; and the answer was, that without derogating from his character, he did not hold himself responsible for that over which he had no control. "Then," replied the individual demanding the contradiction, "whoever reported the words which you do not avow, has been guilty of a falsehood." No mode more offensive to the member could hardly be contrived than the publication of this assertion in a newspaper. Why did not the party thinking himself aggrieved first address the editor of the *Courier*, to ascertain whether he would vouch for the correctness of the terms put into the mouth of Mr. Abercromby? Could any man doubt the object of such a publication of the correspondence with the comments annexed? Such a proceeding was much more exasperating than the straight-forward course Mr. Hope had adopted. The correspondence was inserted in the *Courier* for the purpose of adding a passage, charging a member with a deliberate falsehood. If this were not a breach of privilege, he should be glad to learn what was. An additional sting was here given, and the house would do nothing, and have done nothing, unless it ordered the attendance of Mr. Menzies. He did not know whether the noble lord or any hon. gentleman was prepared to rise and avow the correspondence on the part of Mr. Menzies. (Lord Binning answered in the negative across the table.) He did not ask the noble lord to do it; but if it were not done, the editor of the *Courier* must be brought forward. In a question of this kind, there ought to be nothing like special pleading, when the dignity of the house, the character of a member, and the probable consequences were involved. Taking all the circumstances together, no man could doubt that through the *Courier* an attack was meant upon the character of Mr. Abercromby.

Mr. HUSKISSON declared that he never meant to raise any evil that merited the approach of special pleading; he was anxious only that the house should act consistently. He was not at all prepared, to say, taking the whole correspondence together, that Mr. Menzies had not been guilty of a breach of privilege; but if the house went merely upon the paragraph that had been read, it would establish that the incorrect report of a newspaper was a breach of privilege. After calling the attention of the house to the opening and conclusion of Mr. Menzies's letter to the *Courier*, he added, that no individual was more anxious than himself to vindicate the privileges of parliament.

Mr. TIERNEY had not intended to wound the feelings of the right honourable gent. by any thing he had said.

The Marquis of LONDONDERRY was of opinion that the whole was rendered clear by the context. It imputed falsehood to the report of the speech, and he thought it rather forcing a construction to make it personally offensive to Mr. Abercromby.

Mr. TIERNEY by no means concurred: Mr. Menzies, in his letter, asserted that the report was false, and he argued that Mr. Abercromby by his letter adopted the words of the newspaper.

Mr. HUSKISSON was ready to admit and to vote, the sooner the better, that the whole was a breach of privilege. He was ready to vote also that Mr. Menzies do attend.

Mr. W. COURTENAY allowed, that the more correct mode of proceeding would have been for him to have read the whole of the correspondence. No man alive could doubt that it had an object, the very entertaining of which was a breach of privilege. He moved, therefore, a resolution that the correspondence and the comments were a breach of the privileges of the house.

Mr. BANKES was desirous that the whole should be read.

The Clerk was beginning to read it accordingly, when

The Marquis of LONDONDERRY proposed that the order for the attendance of Mr. Abercromby forthwith be first made.

Mr. TIERNEY expressed his approbation; and on the motion of Mr. C. Wynn that question was put and carried.

The correspondence between Mr. Abercromby and Mr. Menzies was then read by the clerk.

Mr. W. COURTENAY remarked upon the fallacy into which some hon. gentlemen seemed to fall when they contended that libel and breach of privilege necessarily subsisted together. A publication of this kind might not be a libel, though it might be a breach of privilege. Taking the whole together, the manner in which it was put forth, and the medium through which it was put forth, he submitted that it was intended offensively, and was in fact calculated to produce but one effect. If a publication of this irritating nature arose out of the performance of public duty in the house, it was unquestionably a breach of privilege. One observation must have struck hon. gentlemen while the correspondence was read, viz. that an additional offence was given by conveying it through a public newspaper. Mr. Abercromby had sent his answer through a friend, and it was to all intents and purposes up to that date a private affair; but Mr. Menzies was not contented with pursuing the

same course, in order to obtain further explanation. He sent his answer with the comments through a public newspaper. That act of itself was a breach of privilege.

The Marquis of LONDONDERRY added, that on the whole he entertained no doubt that it was a breach of privilege, although the correspondence did not necessarily point at a personal encounter. Under all circumstances, he thought that the party should be ordered to attend.

Mr. COURTENAY amended his motion as follows—"That the said publication taking notice of the speech of a member of this house is a breach of privilege."

It was put, and carried *unanimously*.

The Marquis of LONDONDERRY saw no reason for not summoning Mr. Menzies at once to attend; the house ought not in such a case to be entangled by forms.

Mr. BROUGHAM expressed the most ready acquiescence in the suggestion of the noble marquis: forms were the handmaids of justice, and ought to oppose no obstruction. The letter was signed by a gentleman who was known, and who not only gave the street and town of his residence, but the number of his dwelling. In such a case the strength of the presumption entitled the house, in the exercise of its inquisitorial functions, (for the object now was only to inquire) to summon Mr. Menzies to attend.

Mr. W. COURTENAY then moved, that "W. Menzies, Esq., be summoned to attend the house to-morrow at eight."—Ordered.

## REPEAL OF THE SCOTCH COTTAGE TAX.

Lord A. HAMILTON rose, pursuant to notice, to move for the repeal of the above tax, which he described as imposing a very great hardship on individuals holding a very humble rank in society. The tax produced only 7,200*l.* per annum, but was collected from those who could by no means afford it, and that, also, in a manner the most vexatious and oppressive. Certain cottagers were allowed an exemption of the tax, under the 43*d* of Geo. III., in case of extreme poverty; but before they could claim that exemption, they were obliged to procure a certificate, signed by five householders, testifying the truth of their plea! Every one must perceive the extreme inconvenience, nay, the absolute hardship which this imposed upon individuals, who, before they could demand exemption from the tax, must declare to five of their more wealthy neighbours, that they were actual paupers. The poor cottager must pay, according to his number of windows, 4*s.* or 5*s.* 6*d.*, unless he presented himself before his neighbours in the degrading character of a pauper. If the Chancellor of the Exchequer would not consent to repeal the tax to the extent he (Lord A. Hamilton) wished, he hoped he would have no objection to removing that portion of it which referred to cottages having more than three windows, and of the annual value of 20*s.* He would, however, propose to the right honourable gentleman to repeal so much of the act as levied a tax of 4*s.* 6*d.* a year on tenements paying a rent of less than 5*l.* per annum in Scotland. There was no necessity for him, in arguing this question to touch upon the propriety of removing this small tax from England as well as from Scotland. It was sufficient for him to point out a specific grievance, and offer a mode of redress, without expressing any opinion whether the proposed relief should be extended to this part of the country. If, however, the right honourable gentleman could point out any more convenient mode of effecting the object which he (Lord A. Hamilton) had in view, he would very readily adopt it. His lordship then moved for "leave to bring in a bill to exempt all houses in Scotland under the annual rent of 5*l.* from the duty or tax of 4*s.* 6*d.* levied under the 43*d* of Geo. III. cap. 116."

The CHANCELLOR of the EXCHEQUER said, nothing could be more inconvenient than the repeal of detached parts of a tax which affected particular bodies of people. In the present instance he could show that there was scarcely a cottage in Scotland that was taxed. The noble lord had alluded to the lowest rate of tax, which, in England, was 4*s.* 6*d.*, in Scotland 4*s.* 6*d.*, on a scale rising in proportion to the rent. The next charge was 6*s.* for houses not having more than six windows, and paying not more than 5*l.* a year rent. The duty above that was one of 8*s.* 4*d.* on houses having more than six windows, and being of the annual value of 5*l.* and upwards. It was the lowest of these duties that the noble lord wished to repeal. By the last returns there were 400,000 habitations in Scotland, being 100,000 more than the returns of 1801. Of these 400,000, 112,000 paid the window tax, in all its gradations, leaving 288,000 without any charge of that kind. Here were two-thirds of the habitations of Scotland exempted from the tax; and amongst the houses so exempted a great number were of the description alluded to by the noble lord. The following account would show the exemptions that were allowed in the last year. Of houses charged with the highest rate under this act, it was remitted to 90,000; nearly 100,000 not having more than 4 windows, and of the annual value of 5*l.*, were exempted; the tax was re-

mitted with respect to 4,284 houses having six windows, and under the annual value of £1.; and 500 houses having six windows, and also under the annual value of £1., were likewise exempted. The whole of this number of houses, no less than 200,000, were exempted, and only 112,000 actually paid the tax. Where the tax was entirely remitted with reference to two-thirds of the habitations, it could not be said that it was levied with any great severity. He admitted that the number of houses annually charged with the duty of 4s. 6d. was very considerable. It would appear that, in the year 1820, only 22,000 habitations had been charged with the tax. The fact, however, was that 62,000l. were charged, but it was remitted to a great number in consequence of the poverty of the inhabitants. He did not conceive the tax was essentially detrimental to the people of Scotland; but if any mode could be devised for rendering it less burdensome, he would willingly attend to it in the next session.

Mr. ABERCROMBY.

The Sergeant at Arms here interrupted the Chancellor of the Exchequer, by announcing that the messenger who had been sent in quest of Mr. Abercromby was in attendance.

The SPEAKER put the question—"That the messenger be called in," which having been agreed to, he immediately appeared at the bar.

The SPEAKER.—What is your name?—Ans. Samuel Spiller.

The SPEAKER.—You carried the order of this house to Mr. Abercromby's house?—I did.

Whom did you see there?—I saw the footman.

What conversation passed?—I asked if Mr. Abercromby was at home? He said No; that he had left home, with his butler, between twelve and two o'clock; and that he did not expect his return for ten days.

Did he say where his master had gone?—He said he did not know, but that he had taken the road to Bernet.

The witness was then desired to withdraw.

The Marquis of LONDONDERRY moved, in a very low tone of voice, that the Speaker be directed to issue his warrant to compel the attendance of Mr. Abercromby in his place. If a particular order of the house were transmitted to the hon. gentleman, he was sure he would feel it his duty, on the receipt of it, to obey it immediately.

After some private conversation between the Marquess of Londonderry and the SPEAKER, the latter said, that a former order having been made, and sent by a messenger to the residence of Mr. Abercromby, who appeared to have left town, he presumed that no further order was at present necessary. All that could be done was, to direct the officers of the house to make every exertion to ensure obedience to the order that had been already sent forth.

#### REPEAL OF THE SCOTCH COTTAGE TAX.

The CHANCELLOR of the EXCHEQUER then proceeded with his observations. He said he was disposed to rest his opposition to this motion on the impropriety and injustice of making so great a distinction between Scotland and England. (Hear, hear.) Scotland at present paid less in proportion than England did. He could not take away a whole class of habitations from the operation of this tax. If he did, it would be in the highest degree unjust; and would afford a very fair ground for complaint on the part of the lower classes in this country. He had no objection, however, in the next session of Parliament, to consider of any mode of exemption which might be thought to apply more equally and with greater propriety to the peculiar circumstances of Scotland.

Mr. J. P. GRANT said, the declaration of the right hon. gent. that he would consider whether there were any local circumstances of hardship connected with this tax, would, he hoped, induce his noble friend not to press his motion on the present occasion. The right hon. gent. he was afraid, was not aware of the circumstances of a great part of Scotland which was affected by the tax. The learned gent. then proceeded to advert on the provisions of the act. By one of its clauses, habitations, having only three windows, and of the annual value of 20s. were exempted from the tax; but if a house of that value happened to four openings (they could not be called windows) for the admission of light and air, a charge of 4s. a year was made upon the inhabitant, which was equal to four days' work. The collection of this tax was attended in large districts with very great hardship. Last year several poor men were called on to pay 4s. and 5s. for this tax; but as the county town where the head collector was stationed was 36 miles off, very few of them proceeded to it. The consequence was, that a messenger went over the whole county, and distrained for this tax; and those poor people were obliged to pay 20s. tax and cost, the original demand being only 4s. 6d. or 5s. Undoubtedly it was a very great hardship to call on those poor people to go as far as Inverness, a distance of 36 miles, to pay the tax to the collector.

The CHANCELLOR of the EXCHEQUER again contended, from official documents, that the exemptions from the tax were most liberal.

Mr. HUME said, the communications he had received from Scotland fully bore out the statement of his noble friend. The sum collected was not the point to be looked at. The vexatious nature of the tax, as pointed out by his honourable friend (Mr. Grant), ought to induce the house to relieve the people of Scotland from its operation.

Mr. LOCKHART entirely concurred with the Chancellor of the Exchequer in objecting to this mode of partial relief. It was drawing a line of demarcation between countries, in the first instance which might hereafter be extended to counties, from thence to towns, and finally to parishes; till it would be necessary to have a local legislation for granting relief in every part of the kingdom. This system militated against the first principle of taxation—that of levying taxes on annual property. That was the only resource the country now possessed. He cared not how low it went, provided that, on the other side, it was carried to its fair and just height.

Lord A. HAMILTON expressed his willingness to withdraw his motion, in consequence of the handsome manner in which the question had been met by the Chancellor of the Exchequer.—Motion withdrawn.

#### AGRICULTURAL DISTRESS.

Mr. WESTERN said, that, in consequence of the length to which the debates had run, the lateness of the hour, and other circumstances, he was not disposed to bring forward the motion of which he had given notice, this night. It was morally impossible that he could now introduce it with any effect. It could not be denied that the question was one of paramount importance, and it was his firm determination to bring it before the house on the earliest opportunity. It was a motion of the most comprehensive nature; indeed, it embraced the state of the nation at the present moment; and so impressed was he with a conviction of its importance, that he was determined it should undergo a full discussion. He hoped the house would pardon him for that determination, as well as for his attaching this idea of importance to the question. In the present situation of the house, it would be very inconvenient for him to press his motion; but he would avail himself of some means or other to submit it to the house on an early day. He would now let it stand for to-morrow. There were, he knew, one or two motions fixed for that day, which had the precedence; but he thought it very likely that those motions would not occupy any length of time, in which case he would bring his motion forward. He would certainly take the earliest opportunity to call the attention of the house to this subject; but most unquestionably he would not let the present session pass without again having it fully discussed.

Sir T. LETHBRIDGE (we believe) said the house and the country were obliged to the hon. member.

Mr. HUSKISSON recommended the postponement of the motion till Tuesday next.

Mr. WESTERN thought it would be better, on the whole, to let the question stand for to-morrow.

#### MEMORIAL OF SCOTCH BREWERS.

Lord A. HAMILTON, in introducing this subject, complained of the manner in which the memorial had been treated by the Treasury. The grievance felt by the Scotch brewers was clearly represented, but it had been suffered to remain unredressed. He did not like to use the language of asperity to the right honourable gentleman (the Chancellor of the Exchequer) or to the Treasury; but he could not understand, when the Treasury stated that they would take the subject into consideration, how they could return such an answer as they had done. He was speaking in conformity with documents now before the house, and he thought there never was a case of its kind more flagrant than that which he was prepared to prove. By the act of the 1st and 3d Geo. of IV., cap. 24, every brewer in Scotland was required to produce a certificate of all beer sent out, specifying the quantity, the quality, and the persons to whom it was sold. Now the manner in which the brewers' trade was carried on in Scotland rendered a compliance with the act utterly impossible, since the beer was sold to various individuals at their doors. The Chancellor of the Exchequer might as well say to every person who sold goods in a market "You shall give in the names of A, B, and C, to whom you have disposed of your wares," although the meeting was completely a matter of chance. The act passed in July last, without any previous communication being made to either the members for Scotland or the Scotch brewers. When it passed, the brewers petitioned against it, and he moved for the repeal of the act. His motion was rejected; but the Chancellor of the Exchequer said, that he would be able to send such instructions to Scotland as would remedy the evil. The house ought to take care that its powers were not usurped by the Treasury or the Excise; but in this instance it appeared that instructions were sent to Scotland completely at variance with the act of parliament. The brewers were consequently in this situation—that whether they complied with the instructions, or, if they could, with the act of parliament, they were liable to a



penalty of 200*l*. The Treasury declared that "they could grant no relief, because the security of the revenue required the act." Now he defied the right hon. gent. or the Treasury to show that the law had ever been acted on. It never had up to this hour. Two or three hundred brewers were likely to be fined every time they exercised their trade, unless they complied with instructions which they could not do without putting an end to their business; and these instructions, let it be observed, were directly at variance with the act of Parliament. The noble lord concluded by moving, that leave be given to bring in a bill to repeal the 4th section of the 1st and 2d of George IV. cap. 24.

The CHANCELLOR of the EXCHEQUER objected to the motion upon the ground that it was likely to prejudice the revenue. Some complaints had been made at the time when the act of parliament was passed, but he believed that no serious inconvenience had been found to result from it. The law had now existed two years; and during that time he had heard of no complaints in Scotland, except those brought forward by the noble lord opposite (Lord A. Hamilton.) The repeal of the act would only remove a fancied evil, and that at the expense of a serious loss to the revenue.

Mr. J. P. GRANT reminded the house, that the board of excise itself admitted that it was quite impossible to carry the act of parliament into execution. He should support the motion of his noble friend for the repeal of so useless a statute.

Lord ARCHIBALD HAMILTON, in reply, said, that he should put the case next session into the form of a resolution; he hoped then to find some honourable members disposed to assist him in obtaining justice for the complainants.

The motion was then put, and negatived without a division.

#### IRISH INSURRECTION ACT.

The report was received, and the bill ordered to be read a third time on Thursday next.

#### RECEIVERS-GENERAL BILL.

The house having resolved itself into a committee upon the bill,

Mr. HUME moved his amendment upon the clause relative to salaries, that the salaries should be not less than 200*l*. a year, nor more than 600*l*. expenses included.

Mr. ROBERT SMITH wished to know why the hon. gent. opposite (Mr. Lushington) had not, in the construction of the bill before the house, redeemed his own pledge, and followed up the recommendation of the committee. The committee had divided upon the point only—whether the salary, expenses included, should be 600*l*. a year, or 700*l*. a year; and on that point the hon. gent. who took the part of Government in the committee had been left in a minority. Subsequent to that decision, it had been fully understood that Government was disposed to adopt the recommendation of the committee; and in consequence of that understanding, the report of the committee had been printed without waiting for the evidence. The bill, however, which was originally prepared according to the recommendation of the committee, limiting the salary to 600*l*. a year, expenses included, had since been altered, and altered without due notice to the house. It had been recommitted, ostensibly for the purpose of making formal amendments; but in fact the most important alterations had been made in it. The words "expenses included," following the salary of 600*l*. a year, had been struck out, and a clause introduced empowering Government to grant 200*l*. a year more as a provision for expenses. This course he (Mr. R. Smith) maintained had been taken clandestinely, and contrary to the implied understanding between Government and the committee. It was evident, upon the plan proposed by the committee, that 600*l*. a year, expenses included, was a sufficient salary.

Mr. LUSHINGTON denied that there had been any want of candour on the part of Government. The Treasury had been extremely anxious to fall in with the views of the committee; but it had appeared, upon consultation with the commissioners of taxes, that the plan proposed by the committee was entirely impracticable. Government was not bound blindly to adopt the suggestion of the committee; and however they might at one time have been disposed to acquiesce in it, they were entitled to draw back if they saw reason to change their judgment. The alterations which were made in the bill had been made upon mature consideration; and if they had not been at length explained to the house, it was only from that press of business which had made it extremely difficult to bring on the question at all. As for the measure now intended by Government, it was safer and more economical than that proposed by the committee. The intention was to apportion the salary (not giving the 600*l*. universally) according to the duty to be done in the district; the salary given, on an average, would not exceed 300*l*. a year.

Mr. R. SMITH insisted that the plan proposed by the committee had been not only practicable, but highly advisable. He treated as futile the hon. gentleman's excuse, that there had not been opportunity for an explicit statement of the intended alterations.

Mr. H. GURNEY thought that 600*l*. a year would not always be sufficient. There were cases in which the expenses of a district would amount to nearly all the money.

Mr. BANKES thought it extraordinary that Government have been 12 months in discovering that the plan of the committee was impracticable.

The CHANCELLOR of the EXCHEQUER defended the alterations in the bill, and the manner in which they had been made.

After some discussion the amendment was withdrawn, and on the proposal of Mr. LUSHINGTON a clause was introduced and agreed to, authorising the Treasury to make an advance of 2*s*. per mile travelling expenses, and one guinea per day whilst travelling.

The remaining resolutions were agreed to without opposition. The house resumed, and the report was ordered to be received this day.

The other orders of the day were then disposed of, and the house adjourned at HALF PAST ONE O'CLOCK.

#### Sketches of Eminent Persons.

The following sketches of likeness and character of various eminent persons in the sixteenth and seventeenth centuries, are extracted from different parts of that amusing work *Aubrey's Lives*, (recently printed from the originals in the Bodleian and Ashmolean Libraries, Oxford.) They are interesting on a double account, not only as they respect persons whose names every one knows, and who do honour to the biography of our country; but as given by a writer contemporary with, and the friend of the greater part of them:—

Sir WALTER RALEIGH.—He was a tall, handsome, bold man; had a most remarkable aspect—an exceeding high forehead, long faced, and sour etoiled, a kind of pigge-ele; cut withall, that awfulness and ascendancy in his aspect over other mortals, that as R. Charles I. said of the Lord Strafford, he was a person that a Prince would rather be afraid than ashamed of. At an obscure tavern in Drury-lane (a bayliff's) is a good picture of this worthy and also of others of his time, taken upon some execution, I suppose formerly. But the best is at Mr. Raleigh's, a Downton, (an original) where he is in a white satin doublet, all embroidered with reach pearls, and a mighty rich chain of great pearls about his neck. The old servants have told me, that the pearls were near as big as the painted ones. I heard my cousin Witney say that he saw him in the Tower. He had a velvet cap laced, and rich gowse and trunk hose.

Sir PHILIP SIDNEY is described as being not only an excellent wit, but extremely beautiful. He much resembled his sister, says our author, but his hairs were not red, but a little inclining; viz.—a dark amber colour. If I were to find a fault in it, methinks 'twas not masculine enough. My great uncle Browne remembered him, and said that he went to take his table books out of his pockets and write down his notions as they came into his head, when he was writing his *Arcadia*, as he was hunting on our pleasant plains (in Wiltshire).

SPENCER, Mr. Beeton says, was a little man, wore short hairs little band and little cuffs. When he brought Sir Philip Sidney his *Fairy Queen*, Sir Philip was busy at his study, and his servant delivering Mr. Spencer's books he laid it by, thinking it might be such kind of stuff as he was frequently troubled with. Mr. Spencer staid so long that his patience was wearied, and he went his way discontented, and never intended to come again. When Sir Philip perceived it, he was so exceedingly delighted, that he was extremely sorry he was gone, and where to send for him he knew not. After much enquiry he learned his lodging, and sent him so handsome a present, that from this time there was a great friendship between them to Sir Philip's dying day. Latery taking down the waistcoat of his chamber, at Sir Erasmus Dreydein's, they found abundance of cards, with stanzas of the *Fairy Queen* written on them.

Dr. WILLIAM HARVEY, (author of that great discovery the circulation of the blood.) He was not tall, but of the lowest stature, round faced, silvaster (like waistcoat) complexion: little else, round, very black, full of spirit. His hair was black as a raven, but quite white twenty years before he died.

Sir JOHN DENHAM was a kind of goose grey, not big; but he had a strange piercingness, not as a shining and glory, but like a Moses; when he conversed with you he look'd into your very thoughts. He was of the tallest, but a little incumbering at his shoulders; not very robust; his hairs but was thin and flaxen, with a moist curl. His gait was slow, and was rather a stalking (he had long legs.)

Sir JOHN SPOONER was of the middle stature and slight strength, brisque round eye, reddish faced and red nosed (ill liver,) his head not very big, his hairs a kind of sandalwood; his beard turn'd up naturally so that he had a brisk and graceful look.

PRYNE (the valuinous writer) is said to have had a "strange saturnine complexion, and look'd like a witch."

ANDREW MARVEL (member of Parliament for Holford, and well known for his patriotism) was of a middling stature, pretty strong set, roundish faced, cherry cheek't, hazell eye, brown hairs. He was in his conversation very modest, and of very few words. He lies interred under the

pewee on the south side of St. Giles in the Fields, under the window wherein is painted in glass a red lion (it was given by the inn-holder the Red Lion Inn, in Holbourne.) This account I had from the sexton.

MILTON.—He was a spare man, had light brown hair, his complexion exceeding fair, oval face, his eye a dark grey. His widow hath his picture, when a Cambridge Scholar, which ought to be engraved, for the pictures before his book are not at all like him. He had a delicate tunable voice and good skill, but played most on an organ which he had in the house. His chief exercise was walking. After dinner he used to walk three or four hours at a time (he always had a garden where he lived;) went to bed about nine. Temperate; he rarely drank between meals. Extremely pleasant in his conversation, and at dinner, supper, &c. but satirically. He was visited by learned men much more than he did desire.

WALLER, one of the first refiners of our English language and poetry. When he was a briske young spark, and first studied poetry, "Methought," says he "I never saw a good copie of English verses; they all want smoothnesse; then I began to essay." I have severall times heard him say, that he cannot versify when he will; but when the fit comes upon him he does it easily. His intellectuals are very good yet (1680.) but he grows feeble. He is some what above a middle stature, thin body, not at all robust; fine thin skin his hair friz'd, of a brownish colour; full eye, popping out and working; oval faced, his forehead high and full of wrinkles; his head but small, brains very hott, and apt to be cholericque. He writes a lamentable hand, as bad as the scratching of a hen.

HONNOR.—In his old age he was very bald, yet within dore he used to study and sitt bare headed, and sayed he never tooke cold in his head; but that the greatest trouble was to keepe of the flies from pitching on his baldness. His head was of a mallet forme, approved by the physicians. His face not very great, ample forehead, yellowish, red whiskers, which naturally turned up; below he was shaved close, except a little tip under his lip; not but that nature would have afforded him a venerable beard, but being mostly of a cheerful and pleasant humour, he affected not at all austerity and gravity, and to look severe. He considered gravity and heaviness of countenance not so good marks of assurance of God's favour, as a cheerful, charitable and upright behaviour, which are better signs of religion than the zealous maintaining of controverted doctrines.

BUTLER (Author of Hudibras.) He died of a consumption September 25, 1686, aged about 70, and was buried the 27th, according to his owne appointment in the churchyard of Covent Garden, in the north part, next the east end. His feet touch that wall. His grave, two yards distant from pilaster of the dore, by his desire) 6 foot deepe. There were about 25 of his old acquaintance at his funeral; I myself being one. He was much troubled with the gout before he died and stirred not out of his chamber from October, till Easter: was of a middle stature, strong set, high coloured, a head sorrel hairs, a severe and sound judgment, a good fellow. He hath often said that Waller's way of quabbling, with sense would hereafter grow as much out of fashion, and be as ridiculous as quabbling with words.

### The Irish Avatar.

[The latter half of the following Poem was put into our hands some months since, and then graced our columns: but as we have now been favoured with nearly a perfect copy, we give the whole as complete as we can.]

Ere the Daughter of BARNSWICK is cold in her grave,  
And her ashes still float to their home o'er the tide,  
Lo! \* \* \* the Triumphant speeds over the wave,  
To the long-cherish'd Isle which he loved like his—bride.  
True, the Great of her bright and brief era are gone,  
The rainbow-like epoch where Freedom could pause  
For the few little years, out of centuries won,  
Which betray'd not, or crush'd not, or wept not her cause.  
True, the chains of the Catholic clank o'er his rage,  
The Castle still stands, and the Senate's no more,  
And the Famine, which dwell on her freedomless crags,  
Is extending ist steps to her desolate shore.  
To her desolate shore—where the Emigrant stands  
For a moment to gaze ere he flies from his hearth;  
Tears fall on his chain, though it drops from his hands,  
For the dungeon he quits is the place of his birth.  
But he comes! the Messiah \* \* \* comes;  
Like a goodly Leviathan rolled from the waves!  
Then receive him as beat such an Advent becomes,  
With a legion of cooks and an army of slaves!  
He comes in the promise and bloom of three-score,  
To perform in the pageant the \* \* \* part—  
But long live the Shamrock which shadows him o'er!  
Could the green in his hat be transferr'd to his heart!

Could that long-wither'd spot but be verdant again,  
And a new spring of noble affections arise—  
Then might Freedom forgive thee this dance in thy chain,  
And this shout of thy slavery which saddens the skies.

Is it madness or meanness which clings to thee now?  
Were he God—as he is but the commonest clay,  
With scarce fewer wrinkles than lines on his brow—  
Such servile devotion might shame him away.

Aye, roar in his train! let thine Orators lash  
Their fanciful spirits to pamper his pride—  
Not thus did thy GRATTAN indignantly flash  
His soul o'er the freedom implored and denied.

Ever glorious GRATTAN! the best of the Good!  
So simple in heart, so sublime in the rest!  
With all which Demosthenes wanted endued,  
And his rival or victor in all he possess'd.

Ere Tully arose in the zenith of Rome,  
Though unequal'd, preceded, the task was begun—  
But GRATTAN sprang up like a God from the tomb  
Of ages, the first, last, the Saviour, the One!

With the skill of an Orpheus to soften the brute;  
With the fire of Prometheus to kindle mankind;  
Even Tyranny listening sat melted or mute,  
And Corruption shrunk scorch'd from the glance of his mind.

But back to our theme! Back to despots and slaves!  
Feasts furnished by Famine! rejoicings by Pain!  
True Freedom but welcome, while Slavery still raves,  
When a week's Saturnalia hath loosen'd her chain.

Let the poor squalid splendour thy wreck can afford  
(As the bankrupt's profusion his ruin would hide)  
Gild over the Palace, Lo! Erin, thy Lord;  
Kiss his foot with thy blessing for blessings denied!

Or if Freedom past hope be extorted at last,  
If the Idol of Brass find his feet are of clay,  
Must what Terror or Policy wring forth be class'd  
With what Monarchs ne'er give, but as wolves yield their prey.

Will thy yard of blue sash, poor FANON, recal  
The fetters from millions of Catholic limbs?  
Or, has it not bound thee the fastest of all  
The slaves, who now hail their Betrayer with hymns?

Aye, "build him a dwelling," let each give his mite,  
Till, like Babel, the new \* \* \* dome hath arisen;  
Let thy beggars and Helots their pittance unite,  
And a Palace bestow for a Poor-house and Prison!

Let the tables be loaded with feasts till they groan!  
Till they grow like thy people, through ages of woe!  
Let the wine flow around the old Bacchanal's throne  
Like their blood which has flow'd, and which yet has to o'flow.

Shout, drink, feast, and flatter! Oh, Erin! how low  
Wert thou sunk by Misfortune and Tyranny, till  
Thy welcome of Tyrants hath plung'd thee below  
The depth of thy deep in a deeper gulph still.

My voice, though but humble, was raised for thy right,  
My vote as a freeman's still voted thee free,  
This hand, though but feeble, would arm in thy fight,  
And this heart, though outworn, had a thro' still for thee!

Yes, I loved thee and thine, though thou art not my land;  
I have known noble hearts and great souls in thy sons;  
And I wept with the world o'er the patriot band  
Who are gone, but I weep them no longer as once:

For happy are they now reposing afar,  
Thy GRATTAN, thy CURRAN, thy SHERIDAN, all  
Who, for years, were the Chiefs in the eloquent war,  
And redeem'd, if they have not retarded, thy fall.

Yes, happy are they in their cold English graves!  
Their shades cannot start at thy shout of to-day,—  
Nor the steps of enslavers and chain-kissing slaves  
Be stamp'd in the turf o'er their fetterless clay.

Till now, I had envied thy sons and thy shore,  
Though their virtues were hunted, their liberties fled,  
There was something to warm and sublime in the core  
Of an Irishman's heart, that I envy—thy dead.

Or if aught in my bosom can quench for an hour  
My contempt for a nation so servile though sore,  
Which though trod like the worm will not turn up a Power,  
'Tis the glory of GRATTAN and genius of MOORE.



# ASIATIC DEPARTMENT.

—285—

## Soliloquy.

It must be so, my Friend! thou reasonest well,  
Else why this pleasing hope, this fond desire,  
This longing after bliss yet unpossess'd:  
Or whence this secret dread, and inward horror  
Of dying unpossessed.—Why shrinks the soul  
Back on itself, and startles at the thought?  
'Tis instinct, faithful instinct stirs within us;  
'Tis Nature's self that points out an alliance,  
And intimates the joy of married life  
Marriage! thou pleasing, and yet anxious thought!  
Thro' what variety of hopes and fears—  
Thro' what new scenes and changes must we pass—  
The wish'd-for state in prospect lies before me,  
But shadows, clouds, and darkness, rest upon it.  
Here will I hold, if Nature prompt the wish,  
And that she does is plain from all her works,  
Our duty and our interest bid indulge it:  
For the great end of Nature's laws is bliss!  
But yet in wedlock, women must obey!  
I'm weary of these doubts, the Priest shall end them.  
Nor rashly do I venture loss and gain:  
Bondage and pleasure meet my thoughts at once:  
I wed, my liberty is gone for ever,  
But happiness from time is self-secured!  
Love first shall recompense my loss of freedom;  
And when my charms shall fade away, my eyes  
Themselves grow dim, my stature bent with years,  
Then virtuous friendship shall succeed to love,  
Then pleas'd I'll scorn infirmities and death,  
Renew'd immortal in a filial race.

December 1822.

## Men in Masks.

"There is no law in nature, why an ill report may not be a lie. We all know that a lie needs no other grounds than the invention of the liar; and to take for granted as truth all that is alleged against the fame of others is a species of credulity that men would blush at on any other subject."—*Miss Porter.*

"Every honest man sets as high a value upon a good name as upon life itself; and I cannot but think that those who privily assault the one, would destroy the other, might they do it with the same security and impunity."—*Spectator.*

To the Editor of the Journal.

SIR,

There are many who although ignorant of the truth will neither take the trouble to inquire into the facts of a case nor be sufficiently ingenious to forbear pronouncing a decisive opinion upon its merits. This, in many instances, may be harmless, and may proceed from mere thoughtlessness; but, when the good name and happiness of a fellow-creature are at stake, surely, as men of honesty and good nature, we ought not to do him the greatest injustice that one human being can inflict upon another by deciding against him without the most careful and dispassionate inquiry. If we would not be considered mere Christians of the lip and tongue, we must shew that our religion is of the heart, by practising that precept which of itself stamps the divine origin of Christianity, that heavenly precept which commands us to "do unto all men as we would they should do unto us."

Your enemies will have it, Sir, that you are a monster of moral turpitude, but I am not aware that they have ever in direct terms charged you with the crime of being a fool; and yet Sir, a fool you must be, and one too of the first water, if some of their silly accusations be true. It has often, for example, been hinted that the letters published by you in your Defence are either downright forgeries, or, that although penned by the writers to whom they are ascribed, they never were addressed to you. Now, Sir, I am willing to concede to you the merit of being as accomplished a rogue as your enemies can wish you, but this is precisely the reason why I cannot believe you such a mere bungler in the trade of villainy as to attempt so clumsy a

fraud as this, and I am perfectly astonished at the extraordinary aptitude of belief, that can induce any man to credit a thing so perfectly improbable. The most charitable construction that can be put upon this marvellous credulity is, that it originates in a superabundance of charity:—this may seem a paradox, but, Sir, "Charity believeth all things," and as those who are able to believe this, may believe any thing, assuredly they must be the most charitable of the human kind.

You, Sir, have already done all that mortal man can do, by publishing the Letters, and challenging all the world to inspect the Originals; if, after this, any man doubts their being genuine and yet will not take the trouble to examine them, let him at least in the name of common honesty abstain from pronouncing you guilty of the foul crime of palming forgeries on the world.

The sentiments of Monsieur Bayle on the subject of calumny, apply so pointedly to the present state of things, that they may perhaps edify the "Men in Masks," who manufacture diurnal slanders for the *BULL.* and the few, the very few, who read those slanders with complacency.

"I cannot," says Bayle, "imagine, that a man who disperses a libel, is less desirous of doing mischief than the author himself. But what shall we say of the pleasure which a man takes in reading a defamatory libel? Is it not a heinous sin in the sight of God? We must distinguish in this point. This pleasure is either an agreeable sensation we are affected with when we meet with a witty thought which is well expressed, or it is a joy which we conceive from the dishonour of the person who is defamed. I will say nothing to the first of these cases; for perhaps some would think that my morality is not severe enough, if I should affirm that a man is not master of those agreeable sensations, any more than those occasioned by sugar or honey when they touch his tongue; but as to the second, every one will own that pleasure to be a heinous sin. The pleasure in the first case is of no continuance; it prevents our reason and reflection, and may be immediately followed by a secret grief to see our neighbour's honour blasted. If it does not cease immediately, it is a sign, that we are not displeased with the ill-nature of the satirist, but are glad to see him defame his enemy by all kinds of stories; and then we deserve the punishment to which the writer of the libel is subject. It is an uncontested maxim, that they who approve an action would certainly do it if they could; that is, if some reason of self-love did not hinder them. We may therefore conclude, that those who are pleased with reading defamatory libels, so far as to approve the authors and dispersers of them, are as guilty as if they had composed them; for if they do not write such libels themselves it is either because they have not the talent of writing, or because they will run no hazard."

One extract more, Sir, and I shall conclude:—"I never yet" says Miss Porter, "heard man or woman much abused, that I was not inclined to think the better of them; and to transfer any suspicion or dislike, to the person who appeared to take delight in pointing out the defects of a fellow-creature. We seldom willingly recur to a subject that does not give us pleasure; therefore he who dwells on the transgressions, real or supposed, of others, proves one thing certain (though directly opposite to what he intends), his own malice and evil-nature; and where they two are, we may fairly infer, without charge of scandal, that injustice and falsehood are the natural twins of such a union."

Berhampore, Jan. 1823.

ARISTIDES.

P. S. The late virulence of the *BULL.* I am happy to tell you, has here had no other effect than to give you if possible a stronger hold upon the sympathy of all honest men than you possessed before.

CALCUTTA BAZAR RATES, JANUARY 29, 1823.

	BUY.	SELL.
Remittable Loans, .....	25 8	25 8
Unremittable ditto, .....	14 4	13 12
Bills of Exchange on the Court of Directors, for 12 Months, dated 20th of June 1823, .....	25 9	26 0
Ditto, for 18 Months, dated 29th of April, 1823, ....	25 9	24 0

**Simplicity.**

*To the Editor of the Journal.*

SIR,

Being at the Union Chapel last evening, I could not help noticing the ostentatious, and I may say, affected manner in which the Hymns were given out from the lower desk. Vanity and affectation are certainly qualities the least suited, of all others, to a place of Christian worship. Let me, therefore, inculcate upon those concerned, the true dignity of an artless and humble simplicity in all their religious exercises, for which I need not plead any other argument than that it is perfectly congenial to the very nature of the Gospel.

I am, Sir, Your obedient Servant,

Jan. 20, 1823.

A LOVER OF CHRISTIAN SIMPLICITY.

**Another Visit to Zig-Zag Lane.**

*To the Editor of the Journal.*

SIR,

Last Saturday night, allured by an advertisement in your JOURNAL, I went to the "MINOR THEATRE." The performance of the evening was to commence with the Farce of "The Weathercock," after which "The Village Lawyer;" and to conclude with an exhibition of Pantomimical Figures.

Before the Play began, one of the Corps appeared, and made an apology for a sick companion, and a very lame one it was too, by way of affording us a specimen of what was to follow. The Play commenced, and the sick man's deputy, (who afterwards proved himself a good performer in the other piece) jogged on with the aid of the Prompter thro' the whole of the Farce. The young man that personated "The Weathercock" is a tolerable actor, and appeared to advantage in some of the scenes. His Quaker was excellent. The female characters were undertaken by persons of the other sex, who exerted themselves as much as they could to please.

The greatest inconsistencies were the introduction of a Hornpipe after one of the acts, and Plato's Soliloquy on the Immortality of the Soul, spoken by a person whiskered up to the eyes, with mustaches as long as a Chinese mandarin's, a black Leghorn hat, brim green in the inner side, loose pantaloons, a book in one hand, and the Lord knows what in the other; thus "doubly armed" as he called it, he spoke the aforesaid speech, in an extraordinary kind of tone: looking as fierce as a Janissary, and any thing but a Roman.

After this person entered another; and for a long time we could not understand whether he was singing, reciting poetry or prose, talking rhyme or reason. When this person retired, we thought ourselves as wise with regard to what he said as when he commenced. Then other Hornpipes, the rest of the Farce, and the Pantomimical figures. I forgot to mention that the personator of *Tristram Fiddle* gave us some excellent songs, and I think with pretty good taste, such as, "The Peasant Boy," The Parody on "Said a smile to a Tear," &c.

*The Village Lawyer* at length commenced, and the person above-mentioned redeemed his character and really proved a very comical little fellow. The Justice was very well acted, *Sheepface* pretty well, the remainder tolerable. I also omitted to notice two comical songs after "The Weathercock," the imitations of inebriety in one of which were as true to nature as it was possible to counterfeit.

The Corps I dare say will do well if they strive to please. I would recommend them however not to meddle quite so much with the letter H. this applies equally to all of them I believe, to speak slower, and above all to abolish the present practice they have of spouting between the acts, and jumbling Comedy, Tragedy and Farce in such incongruous habiliments.

Your's &c.

Jan. 19, 1823.

WILL SPREE.

**Cato's Essays.**

*To the Editor of the Journal.*

SIR,

CATO, in one of his Essays, in your JOURNAL, says—"What (it may be asked) is it to use Time? The question will be answered by what I shall adduce."

But I do not think the question is answered in a manner sufficiently explicit or satisfactory; and I wish CATO had stated the chief end or design of human existence and sojourn in life, and pointed out the proper use of Time conformably.

Your obedient Servant,

Jan. 13.

A LOVER OF FUNDAMENTAL PRINCIPLES.

**Indigo Planters.**

*To the Editor of the Journal.*

SIR,

I did not say that "EVERY attempt on the part of Government to direct or control the trade of a country almost invariably proves injurious;" but if you will do me the kindness or rather the justice to refer to your file, you will find that in the original MS. sent you on the 30th November, and published in JOURNAL of the 14th December, the passage stands thus:—"In a country differently constituted from what this is, it might perhaps be questionable how far the Government would be justified in interfering at all in a case of this nature; for it is now pretty generally admitted that the trade of a country never thrives so well as when left entirely to itself, and that any attempts on the part of Government to direct or control it almost invariably proves injurious."

I thus admit the principle, but express a doubt of its being applicable to this country; and in all this I can perceive nothing so very ridiculous or unreasonable as your Correspondent "VIOLET" affects to make it out.

As for his insinuation, that the author of the pamphlet and myself have been actuated by motives of avarice and selfishness in recommending restrictive regulations, it falls to the ground and is completely neutralized by the statements we have each given of our individual situations. In my own case, I declared in the following passage that I had the good fortune to live in a district where no improper competition existed, and where consequently the interference of Government is totally unnecessary. "In Tirhoot, without any interference on the part of Government, Factories are never built within an improper distance of each other (5 coss) nor has there been a single instance of one planter prosecuting another in a Court of Justice, since Indigo planting was first introduced in the district, some forty years ago;"—and my friend, who is the author of the pamphlet, concludes it with the following words—"and lest it should appear that any of the above propositions are dictated by a view of advantage from them to the writer, I think it proper to add that my concern as a planter will probably terminate this season, before any benefit could accrue to me from any regulations founded on these views. If these suggestions shall prompt any arrangement for the benefit of the trade, and of the country, it is all that I can expect or desire."

I have now done, and retire from the lists, with a determination never to enter them again.—"Othello's occupation's gone" and the MOFUSSILITE now bids you and VIOLET farewell for ever, but though he will no longer be a contributor to the JOURNAL, he will never cease to be one of its warmest friends and well-wishers.\*

Calcutta, Jan. 18, 1823.

A MOFUSSILITE

\* We regret exceedingly such a determination as this; and still hope that our Correspondent will on reflection find cause to revoke it.—Ed.



Selections.

**Unpleasant Adventure.**—On the evening of the 4th inst. a friend of our's, who was proceeding up towards Kishnagur, met with a rather unpleasant adventure.—While his boat (in which he had at the time a considerable sum of money) was passing Rannaghat, in the Matta-bahagah, a gang of seven or eight swaggering looking fellows, in the most audacious manner, seized the track rope and stopped the boat. The fellows were armed with mazy lotties, or bludgeons, and in the most impudent and daring style imaginable demanded to know whose boat that was. Our friend, who was taking his dinner at the time, was a little startled at finding the boat stop all of a sudden, and his people exclaiming "Chakorde, chakorde . . . . . Sakib ha kishateh by!!" He instantly stepped out of the cabin and jumped ashore, feeling more irritated than alarmed on the occasion. Wishing naturally to ascertain the cause of such an insolent interference, he walked up to the fellows. At the same time he observed from 50 to 60 persons standing on the opposite bank seemingly in expectation of witnessing a scuffle or row between the boat people, and those who thought proper to stop the boat. On seeing our friend, one or two among the crowd on the opposite bank, who seemed better dressed than those who stood near them, beckoned with their hands. The assailants understood this telegraphic hint, and jumped every one of them into a small boat, which was close by, and pulled off for the opposite bank. The gentleman gave orders to chase, but as soon as the retreating party gained the other bank, they took refuge in a large pukka built house, situated near the spot, and occupied, as our friend was led to understand, by a rich native called Paul Chowdrie, or some such name. On his landing near the spot in question, the persons assembled all ran off, with the exception of two or three Sircar-looking men, one of whom represented himself as the said Paul Chowdrie's Gomastah, and who seemed eager to make our friend believe, that no harm had been intended, and to divert him, in short, from any further enquiry into the business, he tried to make it appear that the assailants had mistaken his boat for that of some other person. A Thannah being close by, the gentleman sent for the Darogah, to whom he made a report of the circumstance which had befallen him. From the Darogah he obtained a guard of Burkundazs, and proceeded on to Hamsally, where he arrived early next morning. Thence he proceeded overland to the station of Kishnagur, and represented what had happened, to the Magistrate. From this gentleman he received the kindest and most considerate treatment. At his suggestion, he wrote an official letter on the subject of his adventure at Rannaghat. Indeed the worthy Magistrate appeared to feel the greatest interest in the affair, and there can be no doubt but he will take the most active and proper measures to bring these daring fellows to account. Even should his endeavours to do so prove unsuccessful, the promptitude with which he entered upon the inquiry, and the urbanity of his conduct throughout to a stranger, claim the esteem of all who peruse this notice.

We sincerely pray that these audacious fellows may be discovered. We have heard of such adventures as the one noticed happening upon the Goomtee—but their occurrence so near the seat of the British Government, is not only insulting but alarming,—especially when it is recollected, that Mr. Imtash was recently assassinated not far from the spot where the boat of the other gentleman was so lawlessly detained. There is strong reason to suppose that Paul Chowdrie, or the person into whose house the assailants retreated, was perfectly aware of their design to attack the Gentleman's boat. Unless he had been in connexion with them, they would not have dared to make his dwelling their place of refuge. That the crowd who stood near Paul Chowdrie's mansion were in some degree aiding and abetting the plot, there is also strong reason to suppose, from the circumstances of some among them having made signals, and those signals being obeyed.—Moreover, the fact of the several persons assembled having ran off upon the gentleman's landing near Paul Chowdrie's House, makes strongly against them. The Gomastah tried to explain away the matter, by saying that the fellows had mistaken the gentleman's boat for another. This explanation gives a more deeply criminal complexion to the whole proceeding—for they could have no lawful object in so detaining any boat; and whose boat were they then in search of, if not the gentleman's in question? Really things are come to a fine pass.—If a band of Ruffians armed with murderous bludgeons, not many miles from Calcutta, without any legal right, warrant or authority, stop whom they choose in the most audacious manner, and then take to their heels without explanation or reparation: Supposing that these men, thus armed and clubbed together, had met the boat of the gentleman an hour or two later than they did, when they could not distinguish it from any other boat under the cloud of night; perhaps instead of seizing a rope and enquiring whose boat it was, they would have sunk it at once, and murdered the people on board. They were evidently bent on mischief, and seemed unwilling to let go the boat until looted away by the signal of the people on the opposite bank, whom we conclude to have been implicated in a design of robbing the boat, having perhaps had intimation that it contained property of value.

If such excesses should be repeated a terrible example will be necessary to put them down.

**Suicide.**—We understand that a Wine-Seller named Goozooparsand Sahoo, had married at Burrangore; one day the father-in-law carried his daughter to his own house, and also invited the son-in-law, who not being received with the compliments of a guest, and his wife not showing him regard and affection, returned home much perplexed. The father-in-law being aware of this, brought his daughter to the house of the son-in-law to prevent any discord; but he, from the injury he had felt, beat and hurt his wife very severely; who having no power to revenge herself on her husband, hanged herself and died—the father brought the complaint before the Daroga of the place, who having apprehended the Wine-seller, and sent him to the Adawlut of the Zillah. —Persian Paper.

Native Compliments to the Marquess of Hastings.

The following is inserted in the *MIRAT-OL-UKHRAN* as a communication from a Friend. Lest the Persian verses should have suffered in the translation, we have also given the original in the hope that some favorite of the Muses will kindly clothe the ideas in a poetic dress worthy of the lofty theme:—

On Monday, the 30th of Dec. 1822, corresponding with the 15th Rubea-ul-Sane 1239, Hegeree, at 11 o'clock in the forenoon, the Most Noble the Marquess of Hastings, held a Levee. At the close of it, Khajuh Hossain Ulee Khan, (the grandson of Khajuh Moohammed e Khan, a Meerbnkshah, (General) of the late Nawab Jaffir Ulee Khan,) having come by dawk to the Presidency, accompanied by Sir Charles D'Oyly, Baronet, for the purpose of paying his respects to his Lordship—presented his Excellency the Governor General with two couplets (Basta) written in praise of his Lordship. Mr. T. Prinsep read out explained the Lines to his Excellency, who expressed himself gratified with them. The lines are as follows:—

Choon-e kish bownd, sroor dur majlis-i kings  
Us Hind gilft Marqoos-i Hastings  
Ya'one bu alzar-i farq-i shah-i Jumjah  
Chutro an du'ao-khinq darud humrah.

Whatever is necessary in the assembly of Kings,  
The Marquess of Hastings has taken with him from India;  
That is, he carries along with him a Royal Canopy, composed of the prayers of the people.

As an offering, to overshadow the head of a King like unto Jum.

After the Khajuh had taken leave of his Excellency, Sir Charles D'Oyly and Mr. James Munro MacNab informed the Marchioness of the abilities of the Khajuh, and of his having come from Uncomabad with Sir Charles D'Oyly. Her Ladyship sent again for Mr. Prinsep, and got those couplets translated by him into English, and having been made acquainted with their purport, she felt highly gratified.

P. S.—On Wednesday, the 1st of Jan. 1823, when his Excellency departed for England, and innumerable multitudes were shedding pearly rivers of tears at the place of embarkation. At that time the Khajuh, at the request of Mohammed Ulee Khan Sahib, and other friends, at that instant composed other lines, which contained the year of his departure from this country; which are now printed for the perusal of men of understanding. They are as follows:—

Amud cho bu-Hind Lord Hastings  
Givcednh bu-khoqlq-to johan shood  
Nooh sal o seh mah waudnh dur Hind  
'Zeon mook ruwanh bu'nd us an shood  
Dur ghoorho January bu London  
Calcutta goozashah rewan shood  
O shood bu juhaz khinq w bigreest  
Goyum kib chi hal an zaman shood  
An zam-i enfor buuh kard oz Hind  
Durya bu rikah i wue ruman shood  
Sal-i tareekhirsun-to  
'Zeon Shahr kib goofsh um uyan shood.

When Lord Hastings came first to India,  
All felt attracted to him on account of his politeness;  
Nine years and three months, here he remained  
Then he took his departure out of this country,  
On the First of January he left Calcutta,  
(With the intent of) proceeding to London;  
He got into the Ship, while people wept,  
I am going to say what like a scene it was:  
He intended to depart from India,  
The River (of tears) marked with his stirrup;  
The year in which he took his departure,  
From the preceding couplet is apparent.\*

\* The last couplet but one contains in the original Persian thirty-five letters of the Alphabet, each representing a certain Number, the total of which amount to 1823.—*Hurhura.*

## An Essay.

## ON THE FIRST AND FUNDAMENTAL OBJECT OF NEWS-PAPERS.

To the Editor of the Bengal Hurkara.

SIR,

Have the goodness to enlighten your readers by the republication of the following Essay on the first and fundamental object of Newspapers, written expressly for the *JOHN BULL* by the Editor thereof. It is the longest and wisest of three Editorial paragraphs that all appeared in that Paper this morning:—

We refer our readers to the promised Address to the representatives of the Ionian States, and to the extracts from the English papers lately received, and which we have endeavored to select, so as to afford amusement to various classes of readers. *The First and Fundamental object of a Newspaper*, particularly in this country we imagine, should be, local information on all points connected with the general welfare of the British Inhabitants in India, and such extracts from the English and foreign papers as will convey a just view of the state of the respective countries.

The Major Proposition is, that it is the first and fundamental object of a (any or every) Newspaper to afford local information on all points connected with the general welfare of British Inhabitants in India: What will English, French, Spanish, American, or Russian Editors say to this? While they have been dwelling so long upon the differences between the Greeks and Turks, the movements of their armies, the proceedings of Chambers, Parliaments, Cortes, Congresses, Houses of Representatives forgetting entirely "the first and fundamental object of a Newspaper," local information on all points connected with the general welfare of the British Inhabitants of India!

Granting the Major Proposition, the Minor follows of course. It is particularly the duty of a Newspaper in India to attend only to the interests of the British Inhabitants. Q. E. D. What will the Native Editors say, who fill up their papers with accounts of Soitees, Shadoes, &c. &c. which affect not the British Inhabitants, but regard only their miserable selves, whose "welfare" the Editor it seems would not for a moment consider as coming within the pale of Christian Benevolence! Liberal doctrine, worthy of the Oriental Misrepresentative of honest JOHN BULL!

Your's,

Calcutta, Jan. 18th.

A BRITON—NOT A BULL.

## Shipping Arrivals.

## CALCUTTA.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
Jan. 19	Duke of Bordeaux	French	S. Moreau	Bordeaux	Sept. 1

## Shipping Departures.

## CALCUTTA.

Date	Names of Vessels	Flags	Commanders	Destination
Jan. 18	John Taylor	British	G. Atkinson	Liverpool
18	Cabrass	Arab	Werrigee	Moscat
18	Pazarobany	Arab	Ally Palowan	Judda
18	Atlet Roheman	Arab	Hossen	Judda
19	Larkins	British	H. R. Wilkinson	London
19	Lady Raffles	British	J. Coxwell	London
19	Catherine	British	W. Knox	London
19	Pazarobany	Arab	Amber	Moscat
19	Darrea Beggy	Arab	Ally	Mocha

## Stations of Vessels in the River.

## CALCUTTA, JANUARY 19, 1823.

At Diamond Harbour.—H. C. & GOLDSTREAM.—ALEXANDER, and CAMORNS, (P.), proceeded down.—JOHN TAYLOR, passed down.—CENEUS, (brig), passed up.

Kedgerce.—GENERAL LECOR, (P.) outward-bound, remains.—LUX, (P.), proceeded down.—MELICKEL BHAUR, and COMMERCE, (brig), outward-bound, remain.—WELLINGTON, and GEORGIANA, passed down.—DUKE OF BORDEAUX, (F.), on her way to Town.

New Anchorage.—H. C. Ships GENERAL HEWETT, THAMES, MAR-CHIONESS OF ELY, WINCHELSEA, and WARREN HASTINGS.

Sagor.—ROBILIA, (P.) and APOLLO, outward-bound, remain.—VALETTA, and ZELIE, (F.), gone to Sea.

The FRANCES CHARLOTTE arrived off Calcutta on Saturday, and the ANN and AMELIA arrived on Sunday.

## Marriages.

On the 29th instant, at St. John's Cathedral, by the Reverend D. CORRIE, JOHN BROWN, Esq. of Tirhoot, to CHARLOTTE, only Daughter of JOHN DOWLING, Esq.

On the 16th instant, at St. John's Cathedral, by the Reverend J. PARSON, Captain FREDERICK BUCKLEY, of the 18th Native Infantry, to Miss JANE COX, Daughter of the late Captain W. B. COX, of the Honorable Company's Military Establishment at Bencoolah.

At St. Thomas's Church, (Bombay), on the 29th ultimo, by the Venerable the Archdeacon, GEORGE OBLIVY, Esq. of the Medical Establishment of that Presidency, to MARIA AUGUSTA, second Daughter of the late Dr. JOHN GRIEVE, of St. Petersburg.

## Births.

At Poona, on the 24th ultimo, the Lady of C. KANE, Esq. of a Son.

At Junilsh, on the 20th ultimo, the Lady of Captain NAPIER, Assistant Adjutant General, of a Daughter.

At Bombay, on the 29th ultimo, the Lady of Captain J. W. GRAHAM, of the 6th Native Infantry, of a Son.

## Deaths.

Died at his House in Chowringhee, at 3 A.M. yesterday, the 20th of January, JAMES JAMISON, Esq. a Surgeon on this Establishment and Secretary to the Medical Board. Mr. JAMISON was too well known by his public and private character to require any common place Eulogy in the columns of a Newspaper. Yet we may perhaps be pardoned for giving more than a simple notice of the death of a Gentleman so long and well known in this Society. His attainments were great, not only as a public and professional man, but eminently so as a classical and oriental scholar, and an assiduous cultivator in the field of general literature. His principles and opinions were evidently embraced from conviction, and with sincerity; and they were maintained with a consequent warmth of zeal. In the domestic relations of life, he was universally respected and beloved; and we believe few men have left more private friends to regret their loss than Dr. JAMISON. His name is familiar to his professional brethren in Europe as well as in this country, through his very clear and able Report on the Epidemic Cholera of 1817.

On the 6th instant, at his quarters at Delhi, Major ROBERT MACPHERSON, of the 2d Battalion 17th Regiment of Native Infantry, and Commandant of the Palace Guards.

At Hooghly, on the 7th instant, Mr. JOHN ROYAN, Pensioner of Government.

At Sea, on the 4th of November, on board the H. C. Cruiser MERVIN, of a bilious fever caught at Bassadore on his return from Persia, Mr. RICHARD HITCHCOCK, aged 20 years; universally regretted by those who had the pleasure of his acquaintance.

At Bussiere, on the 9th of November, ROBERT GREEN, Esq. Assistant Surgeon, attached to the Bussiorah Residency, after a severe and painful illness, which he bore with true christian fortitude and resignation, aged 23 years.

At Bombay, on the 21st ultimo, Mr. JOHN FRITZ, a Composer in the Courtier Office.

At Bombay, on the 22d ultimo, WILLIAM PANTON, Esq. Garrison Surgeon of Surat, aged 40 years.

## Errata.

In the JOURNAL of Saturday, page 253, column 1, line 1, for "The Bee, No. II," read "No. IV;" line 17, for "order," read "orders;" line 22, for "now," read "were;" line 24, for "Mahan," read "Maher;" line 26, for "and with it," read "We reluctantly," read "and with it, we reluctantly;" line 35, for "Mahan," read "Maher;" line 39, for "the most amiable," read "the inestimable;" line 46, for "Excellency," read "Excellencies;" line 56, for "now," read "were;" line 63, "Mundialy Papers," read "Incendiary Papers;" column 2, line 1, for "prognostication," read "prognostications."

## PRICE OF BULLION.

Spanish Dollars, .....	Sicca Rupees	206	0	4	260	4	per 100
Dubloons, .....		30	8	4	31	8	each
Joos, or Peasas, .....		17	8	4	17	12	each
Dutch Ducats, .....		4	4	4	4	12	each
Louis D'Ors, .....		8	4	4	8	8	each
Silver 5 Franc pieces, .....		190	4	4	190	8	per 100
Star Pagodas, .....		3	6	4	3	7	6
Sovereigns, .....		9	8	4	10	0	
Bank of England Notes, .....		9	8	4	10	0	